TESTIMONIALS.

From the Right Rev. the Bishop of Charleston, July 8, 1837.

"I do not know a more useful book for Ireland, or for the vindication of Catholics, than the Vindiciæ Hibernicæ."

Extract from the Analectic Magazine, Vol. iii. p. 417.

"This publication contains *a most interesting and curious picture of the systematic rapine and misrepresentation which the Irish have endured at the hands of the government and writers of England; and at the same time, a conclusive refutation of the most serious and injurious charge, which has rested on the national character of Ireland.*

"*To every student of the annals of Ireland, therefore, we may safely recommend the work of Mr. Carey, as essential to a right understanding of her story.*"

Extract of a letter from the Hon. James Madison, Feb. 11, 1820.

"I have dipped enough into your researches and observations, to be satisfied of your success, in showing that *the Irish nation has been as much traduced by the pen of history, as it has been scourged by the rod of power.*"

Extract of a letter from Rev. Matthew Carr, D. D., dated March 15, 1819.

"I do thank you most cordially, for your most excellent and irrefragable Vindiciæ Hibernicæ. You may with justly merited satisfaction, say, '*Exegi monumentum ære perennius.*' Please to accept of this acknowledgment, until I am able to wait on you, and renew it in the warmest manner."

Extract of a letter from the Right Rev. Wm. Coppinger, Bishop of Cloyne, to the Rev. Wm. Taylor, of Boston, dated Cove of Cork, May 1, 1821.

"The Vindiciæ Hibernicæ was highly acceptable, and I think will do considerable service to the Catholic cause, both in America and at home. I am tempted to write to Mr. Carey, *to offer him a tribute of applause for his zealous, spirited, and unanswerable exposition of our wrongs,* and to suggest the expediency of either a reprint of that work, or a large exportation of his own edition into England and Ireland."

Extract of a letter from J. K. Paulding, Esq., dated Washington, 20th April, 1819.

"Your countrymen owe you their gratitude for the labour and research which furnished you with the materials to vindicate their fame, and for the manly and feeling manner in which you have availed yourself of them."

Extract of a letter from T. W. Tone, Esq., 13th April, 1819.

"I have read your Vindiciæ through with delight. It will be one of the favourite books of my library. The mass of authority introduced is irresistible: and the singularity of taking it all from British writers, although you thereby sacrifice a most valuable and interesting mass of proof, certainly adds to the clear conviction which your work must carry to the mind and breast of every candid reader. Your style is always clear, and has frequently the eloquence which comes from the heart."

Extract of a letter from W. J. Mac Nevin, M. D., dated New York, April 12, 1819.

"I have finished a careful perusal of your Vindiciæ with the highest gratification. *You have victoriously proved all your positions, and not only vindicated our native country, but fixed an indelible stigma on her oppressors.* There is a tone of defiance and recrimination in what you write, that was called for in a vindication; that becomes a freeman; and that is scarcely separable from virtue and a deep sense of human rights. Those feelings have made you eloquent. Indeed, *I think this book does more for its purpose than any other extant, and it richly entitles you to the thanks of every lover of Ireland, and indeed every lover of truth and humanity of any country.*"

VINDICIÆ HIBERNICÆ;

OR,

IRELAND VINDICATED:

AN ATTEMPT TO DEVELOP AND EXPOSE A FEW OF

THE MULTIFARIOUS ERRORS AND MISREPRESENTATIONS RESPECTING IRELAND,

IN THE HISTORIES OF

MAY, TEMPLE, WHITELOCK, BORLACE, RUSHWORTH, CLARENDON, COX, CARTE, LELAND, WARNER, MACAULEY, HUME, AND OTHERS:

PARTICULARLY IN

THE LEGENDARY TALES

OF

THE PRETENDED CONSPIRACY AND MASSACRE OF 1641.

BY M. CAREY,

MEMBER OF THE AMERICAN PHILOSOPHICAL SOCIETY, AND OF THE AMERICAN ANTIQUARIAN SOCIETY, AUTHOR OF THE OLIVE BRANCH, ETC., ETC.

THIRD EDITION, ENLARGED AND IMPROVED.

I can truly say, that of all the papers I have blotted, which have been a good deal in my time, I have never written anything for the public without the intention of some public good. Whether I have succeeded or not, is not my part to judge.—Sir William Temple.

There is not a national feeling that has not been insulted and trodden under foot; a national right that has not been withheld, until fear forced it from the grasp of England; or a dear or ancient prejudice that has not been violated, in that abused country. As Christians, the people of Ireland have been denied, under penalties and disqualifications, the exercise of the rites of the Catholic religion, *venerable for its antiquity; admirable for its unity; and consecrated by the belief of some of the best men that ever breathed.* As men, they have been deprived of the common rights of British subjects, under the pretext that they were incapable of enjoying them: which pretext had no other foundation than their resistance of oppression, only the more severe by being sanctioned by the laws. *England first denied them the means of improvement; and then insulted them with the imputation of barbarism.*—Paulding.

PHILADELPHIA:

R. P. DESILVER, 255 MARKET STREET.

1837.

THE PROPERTY OF THE NEW-YORK ATHENÆUM.

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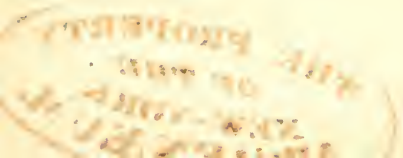


TO

THOSE SUPERIOR SPIRITS

WHO

SCORN THE YOKE

OF

FRAUD, IMPOSTURE, BIGOTRY, AND DELUSION;

WHO,

At the Sacred Shrine of Truth,

WILL OFFER UP THEIR PREJUDICES,

HOW INVETERATE SOEVER,

WHEN HER BRIGHT TORCH ILLUMINATES THEIR MINDS;

WHO,

POSSESSING THE INESTIMABLE BLESSINGS

OF

THRICE-HOLY AND REVERED LIBERTY,

ACQUIRED BY AN ARDUOUS STRUGGLE

AGAINST A MERE INCIPIENT DESPOTISM,

WILL SYMPATHIZE WITH THOSE

WHO CONTENDED ARDENTLY, ALTHOUGH UNSUCCESSFULLY,

AGAINST AS GRIEVOUS AN OPPRESSION

AS EVER PRESSED TO THE EARTH

A NOBLE AND GENEROUS NATION,

WHICH EMBARKED IN THE SAME GLORIOUS CAUSE

AS LEONIDAS, EPAMINONDAS, BRUTUS, THE PRINCE OF ORANGE, WILLIAM TELL, FAYETTE, HANCOCK, ADAMS, FRANKLIN, AND WASHINGTON,

THIS WORK IS DEDICATED.

IT IS LIKEWISE DEDICATED TO

THE IMMORTAL MEMORY OF

THE DESMONDS, THE O'NIALS, THE O'DONNELS, THE O'MOORES,

THE PRESTONS, THE MOUNTGARRETS,

THE CASTLEHAVENS, THE FITZGERALDS, THE SHEARESES,

THE TONES, THE EMMETTS,

AND

THE MYRIADS OF ILLUSTRIOUS IRISHMEN,

WHO SACRIFICED LIFE OR FORTUNE

IN THE

UNSUCCESSFUL EFFORT TO EMANCIPATE A COUNTRY

ENDOWED BY HEAVEN

WITH AS MANY AND AS CHOICE BLESSINGS

AS ANY PART OF THE TERRAQUEOUS GLOBE,

BUT, FOR AGES,

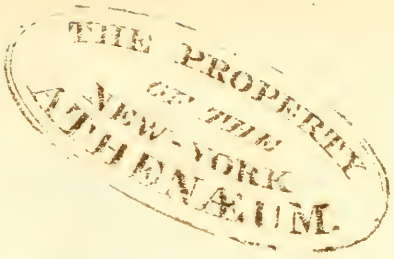
A Hopeless and Helpless Victim

TO

A FORM OF GOVERNMENT

TRANSCENDENTLY PERNICIOUS.

Philadelphia, March 1819.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PREFACE

TO THIS THIRD EDITION.

Philadelphia, May 5, 1837.

Dissatisfied with the mean appearance of the second edition of this work, in point of paper and printing, and also with the mal-arrangement of the materials, and being, moreover, desirous to leave it to my descendants in a more satisfactory form, I determined, some time since, at the advanced age of *seventy-six*, though totally blind of one eye, and obliged to be careful of its more fortunate neighbour, to prepare for the press a third improved edition, and to undertake the arduous labour of verifying all the quotations, no less than 1143 in number. My first idea was to publish it myself; but I soon found that this plan would be irksome and vexatious, and unsuitable to my present situation, having retired from business several years since. I therefore made over the copy-right to Mr. R. P. Desilver, engaging to purchase from him one hundred copies at retail price, (that is, to pay him $250 for the hundred copies on delivery,) and guarantee him from loss by an edition of 500 copies. On these terms alone would he undertake the work.*

Measuring the zeal and national feeling of others by my own, I had no hesitation in agreeing to this arrangement. I presumed, and surely it was not irrational, that an edition of 500 copies would be easily disposed of in our four great cities;† as I confidently hoped for the

* The subscriber deems it but justice to himself to state, that in the profit of this work, should it be profitable, he has not the smallest interest whatever—but is answerable for the loss, should loss arise, as will most certainly be the case. This must appear by an extract from his contract with Mr. Desilver.

Extract from a contract between R. P. Desilver and M. Carey, of the city of Philadelphia.

1. M. Carey hereby transfers to R. P. Desilver the copy-right of a work, entitled Vindiciæ Hibernicæ.

2. He engages to prepare the copy for the press, and to revise the proof sheets, free of expense to R. P. Desilver.

3. He engages, on the receipt of one hundred copies of the work, handsomely bound in boards, to pay R. P. Desilver two hundred and fifty dollars, the amount of the copies at retail price.

4. He further guarantees to R. P. Desilver the entire expense of an edition of five hundred copies, including the above sum of two hundred and fifty dollars.

5. R. P. Desilver pledges himself to have the work handsomely printed on fine paper.

M. CAREY.

† How miserably mistaken I was in this calculation, appears from the fact, that in the city of New York, there are but three, and in Baltimore the same number of *individual* subscribers. In these two cities there are probably 50,000 Irish or descendants of Irishmen, of whom two thirds at least are Roman Catholics! The Rev. Mr.

co-operation of influential and distinguished Irish Catholics in this country, particularly dignitaries of the church, whose elevated situation in life would have enabled them, were they willing, to aid effectually in extending the circulation of this work. But grievously was I mortified and disappointed. The utter indifference of those gentlemen on the subject is truly unaccountable. Not one of the dignitaries in question ever condescended to answer my letters.* Of wealthy laymen, one only, Luke Tiernan, Esq. of Baltimore, took that interest in the book which its subject and object ought to have excited generally among Irish Catholics. He subscribed and paid for forty copies at retail price; the Rev. Mr. Hughes subscribed for twenty. To those gentlemen I present my sincere thanks. Such has been the issue, on this side of the Atlantic, of my dependence on persons in elevated situations.

I expected a more favourable result in the British dominions, where such a work is incomparably more necessary than in the United States; as the inveterate prejudices, engendered by the calumnies which are fully disproved in the Vindiciæ Hibernicæ, although here confined to the very ignorant and very superstitious, and possessing little power to do mischief, still retain their fell, malignant influence there, on the minds of thousands and tens of thousands, and call into ferocious activity some of the worst passions of our nature. Of course, I should have supposed, that in those islands, few Roman Catholics could be found, who, even if destitute of every spark of national feeling, would, from mere motives of self-interest and sound policy, be indifferent to the success of a work calculated to eradicate such pernicious impressions, by which they are all more or less affected in their intercourse with society.

But my disappointment there was far greater than even in this country—for to this hour, no encouragement whatever, except two subscriptions, has been experienced. Months have elapsed since I wrote, with a prospectus, to the Right Hon. Spring Rice, the Hon. Daniel O'Connell, the Hon. R. Shiel, the Editor of the Dublin Review, and, though last, not least, to the Most Rev. Daniel Murray, D. D., Archbishop of Dublin. From the first I received a brief billet, merely acknowledging the receipt of some pamphlets, which I had sent him, but entirely silent as to this work. The next three have not condescended to write at all. From Mr. O'Connell, who professes to be, and is regarded as, the protector and defender of Irish character and Irish interests, I could not have expected such neglect on this particular subject. It was natural to anticipate, at least from him, an ardent and zealous effort to promote the circulation of a work calculated to efface the foul stains which calumny has impressed on the escutcheon of his country, and which powerfully militate against the object to which he has devoted himself.

From the Archbishop I received a short letter, dated January 30,

Kelly, of Albany, procured subscribers in that city and the towns in the neighbourhood for twenty copies, exclusive of his own subscription for six. This is a proof of what might have been done by any exertions, even though not very ardent, by those whose influence extended over entire states. I cannot omit recording here, my gratitude to this gentleman.

* It gives me great pleasure to except the Right Rev. Bishop England, whose absence on an episcopal tour delayed a reply—but who has, since his return, expressed the most friendly disposition towards the work, and a determination to aid in its circulation.

which fully proves that his idea of the nature of the work was utterly erroneous. He says—"It is true *I am not an admirer of some of the historians whom you have chosen as models.*" Here is a radical error,—an assumption wholly unwarranted, as far as *models* are concerned. I have chosen no historians as "models." My work is a *sui generis*. It is highly probable—indeed, it is all but certain—that it is the only work ever published, on controverted points, which relies almost altogether on the testimony of the enemies—many of them most prejudiced and embittered—of the cause it advocates, to prove very nearly all the mooted points. Since that time, I have sent him and the other gentlemen copious specimens of the work, together with a host of most unequivocal testimonies in favour of it, from the illustrious Archbishop Troy, ex-president Madison, Dr. Mac Nevin, Bishop Coppinger, the Rev. Matthew Carr, D. D., T. W. Tone, &c., to remove all doubts about its object and execution.

These documents must have convinced the archbishop, how far he had erred in respect to the plan of the work—and how far it was entitled to his countenance and patronage; but I regret to state, that the communications have answered no purpose whatever. Let me not, however, be misunderstood when I use the word "*patronage.*" I would scorn to ask, or, if offered, to receive, pecuniary patronage from any man, clerical or secular, however exalted. My spirit is too high, and my circumstances too independent, for such a course. There are few men in this country who have written more than I have done, and I never received a dollar recompense for any of my writings, but from the sale of the works, which, except in three or four instances, never defrayed the mere expense of publication—(by the two first editions of this work, I sacrificed from 300 to 400 dollars; of the first, I printed 250 copies for gratuitous distribution)—nor did I ever write a page with a view to profit, nor for the promotion of any personal interest. My writings have, with few exceptions, been directed by a view to the promotion of great public objects, and no small portion of them has been distributed gratuitously at my expense. All that I expected from the Archbishop—and this I distinctly stated—was, that he should declare his approbation of the work to a few zealous, ardent Irish Catholics, actuated by a truly Milesian spirit, who would undertake to procure such a subscription as would indemnify the publisher, and relieve me from the loss which I am likely to suffer. And a few such individuals, entering on the business, *con amore*, might easily have accomplished it in two or three days; for few of those to whom it would be proper to apply, would refuse such applicants. Was it too much to expect such simple aid in such a cause, from the Roman Catholic Archbishop of Dublin? Was a refusal to have been anticipated? Might I not have expected a hearty, cordial, and effective compliance? particularly when all that was necessary to be done would not cost him a dollar, nor require more than one or two hours on his part; whereas I had devoted years to the subject, which more properly belonged to him than to me?

But though I feel mortified at the neglect I have experienced, and somewhat dissatisfied with the loss that must accrue on this edition, I am incomparably more chagrined at the partial failure of the work in this country, and its total failure in the British dominions, by the deplorable apathy and indifference of those to whom it might naturally have looked for support, to whom no thanks are due that it has not

fallen stillborn from the press, to which fate, so far as depended on them, it was devoted. But it shall not thus perish; for one hundred copies shall be deposited in some of the most celebrated libraries, not merely in this country and in the British dominions, but in France and Germany, which will show that while the author, a layman, by no means particularly interested in the subject, had for years prodigally lavished his money—devoted his leisure hours—impaired his sight,—and, on the verge of eternity, at 76, once more entered the lists in defence of his and their country; those personages, in both countries, whose proper province it was to have themselves undertaken that defence, looked on the struggle with perfect indifference.

Let me offer a few brief observations, which, for aught I know or care, may draw down censure on me. I do not pretend to judge correctly of this work. Perhaps no man was ever competent to perform this delicate operation on his own productions. But this I fearlessly aver, cavil at it who may, that if the Vindiciæ Hibernicæ merit one-half the approbation bestowed on it by Archbishop Troy, Bishop Coppinger, Bishop England, and the Rev. Mr. Hughes, to pass over all others, then those are inexpressibly culpable, who, having the influence, wanted the will, to secure its circulation, and looked on the undertaking with cold indifference—an indifference which would have consigned it to the shades of oblivion, but for my inflexible determination to have it republished at whatever expense of time, labour, pains or money might be requisite. *Qui potest capere, capiat.*

PREFACE CONTINUED.

Philadelphia, July 13, 1837.

The above portion of this preface was written above two months since; but its publication was delayed in the hope that the parties enumerated, would, on reconsideration, feel convinced of the dereliction of their duty towards their ill-fated country, in declining to aid in the circulation of a work, which effaces the stains wherewith fraud and falsehood have travestied her history—and likewise of their violation of the rules of propriety towards me, by the utter and mortifying neglect of my letters. For this purpose I had it put in type, and forwarded copies to those persons, that they might not have cause to complain of being taken at unawares. The hope was fallacious. The measure produced no effect as to the encouragement of the work. The only reply I have since had, has been from the Archbishop of Dublin—who declares, April 27, that "he *positively declines all interference in the contemplated project*, beyond the recommendation of the work, *when an opportunity shall offer*, as one of MUCH MERIT IN ITSELF, AND OF GREAT INTEREST TO THIS COUNTRY." [*i. e.* Ireland] If the work be "of much interest to his country," it is not easy to conceive why he might not at once make "*an opportunity of recommending it*," instead of waiting for one which may never come, or, at all events, not occur till it is too late to answer any purpose.

To those Irishmen, on both sides of the Atlantic, whether ecclesiastics or laity, who have not condescended to answer my letters, are submitted the following facts and assumptions.

1. The Irish, for six centuries, from the time of that prince of Munchausens, Giraldus Cambrensis, have been most infamously and atrociously calumniated by at least three fourths of all those who have undertaken to write the history of the country, particularly since 1641.

2. They have been accused of having perpetrated, during the war that began at that period, the most demoniac cruelties, never exceeded by the most savage and barbarous of the human species.

"*Some had their bellies ript up, and so left with their guts running about their heels!* But this horrid kind of cruelty was principally reserved by these inhuman monsters *for women, whose sex they neither pitied nor spared; hanging up several women, many of them great with child, whose bellies they ript up as they hung, and so let the little infants fall out!!!* a course they ordinarily *took with such as they found in that sad condition.* And sometimes they *gave their children to swine!! Some the dogs eat; and some, taken alive out of their mothers' bellies, they cast into ditches!!* And for sucking children, and others of a riper age, some had their brains knocked out; others were trampled under foot to death!! *Some they cut in gobbets and pieces; others they ripped up alive.* Some were found in the fields, sucking the breasts of their murdered mothers."—MACAULEY'S History of England, III. 71.

N. B. Let it be particularly observed, that Mrs. Macauley wrote in 1766, above one hundred years after the date of these hobgoblin stories; and that her history was "hailed with loud acclaim," by the enemies of Ireland, in the British metropolis, and by some regarded as superseding even Hume's history.

3. These atrocities have been ascribed, by the enemies of the Irish, to the alleged bloody and ferocious spirit of the Roman Catholic religion.

"*Slaughtering the English was represented by the priests as* THE MOST MERITORIOUS OF RELIGIOUS ACTS!! They exhorted the people, with tears in their eyes, to rid the world of these declared enemies to the catholic faith and piety. *The murder of protestants, they said, would be a good preservative against the pains of purgatory; nor would they administer the sacraments, but on condition that neither man, woman, nor child, should be spared!! * * * Children were forced to carry their sick and aged parents to the place of slaughter!! * * * Children were in this manner impelled to be executioners of their parents; wives of their husbands; mothers of their children!! Children were boiled to death in cauldrons. Some wretches were flayed alive!!* Others were stoned to death. Others had their eyes plucked out; their ears, noses, cheeks, and hands cut off."—*Ibid.*

4. As these prejudices attach disgrace and dishonour to the Roman Catholic religion, it follows that the professors of that religion, whatever their country may be, ought to feel an interest in their refutation.

5. Thousands in this country, even now, agree in opinion with Mrs. Macauley. At no very distant period, the Rev. John Mason, a presbyterian clergyman of New York, of great talents and high reputation, promulgated similar opinions in the Christian's Magazine. "Can we," asks this reverend gentleman, "reasonably doubt, that the papists of the present day, will not, whenever it is in their power, *be found in their forefathers' cruel practices?* especially when, through ignorance and superstition, *they believe that when they kill you, they do God service?*"

6. About ten years since, similar doctrines were, by the Gideonite Society in this city, delivered from the pulpit, and widely disseminated in pamphlet form.

7. These atrocious libels form part and parcel of the history of the British islands, as written, read, and believed in most parts of Europe.

8. That such calumnies have, to this day, a pernicious operation on the minds of ignorant people, and that no pains ought to be spared in their refutation, is too palpable to require proof, especially when we consider the case of the Rev. Mr. Mason, and the Gideonite Society. Although some of these calumnies have been partially and occasionally refuted; yet they have never been completely put down till now. Indeed, some of them have never been controverted. The Rev. Mr. Lingard, a Roman Catholic historian, has, through the most culpable neglect, lent the sanction of his name to one of the most stupid and barefaced impostures, that ever disgraced history; that is, the clumsy fabrication of O'Conally, of the pretended conspiracy of the Irish in 1641, to murder all the protestants that would not join with them!! a fabrication, the basis on which rested the whole train of frauds and perjuries, and forgeries, by which two thirds, if not three fourths of all the profitable lands of Ireland were confiscated, and thousands and tens of thousands of the Irish ruined, exiled, or executed.

9. With pains hardly credible—and research rarely equalled, and perhaps never exceeded, I have fully and irrefragably disproved all those calumnies, and, *mirabile dictu*, in almost every case, by quotations from the writings of the accusers and their friends. And I have not only done this, but have fully proved, that whatever massacres were perpetrated, were *on*, and not *by*, the Irish.

10. Of the extent of my researches some idea may be formed from the fact, that the published quotations (not mere references, as are too common) amount to 1143, exclusive of 969 omitted for want of room—and are from seventy works, some of them six and eight volumes.

11. The Vindiciæ Hibernicæ places on record, on a foundation as impregnable as the rock of Gibraltar, the horrible system of rapine and oppression by which Ireland was for centuries ground to the earth by the satraps to whom her destinies were confided.

12. Archbishop Troy, whose decision on the point is beyond appeal, has stated of this work, that "it does more to vindicate the cause of Ireland than all the works on the subject that had preceded it." And Dr. Mac Nevin, whose decision is only second to that of the archbishop, states—"*This work does more for its purpose than any other extant, and richly merits the thanks of every lover of Ireland, and of every lover of truth and humanity of any country.*"

13. I venture to assert, that a work on this important subject, and supported by such high authority, even had it been written by a Luttrel, an Arnold, a Barabbas, or a Judas Iscariot, has a fair claim on the support and countenance of every Irishman, who has any portion of regard for the honour and character of his country, more particularly catholics, whether clergy or laity;—and, *a fortiori*, when written by a man who, in 1779, at the early age of 19, commenced the defence of his country, and from that time to the present, has embraced every fair opportunity of exerting himself in the same cause.

14. But Irish catholics, clergy and laity, who have been written to on the subject, and who by moderate exertions might have secured its success, have not only taken no interest whatever in it, but have treated my letters with a degree of contumelious neglect, which ought not to be inflicted on a decent sweep-chimney, had he written on such a subject; for a decorous letter, on business, from a decent sweep-chimney, is entitled to an answer from any man, how elevated soever his situation.

15. When a man is thus treated, he may, without subjecting himself to a charge of vanity, show, by irrefragable proof, how little he has deserved it. Conformably with this idea, I annex the spontaneous testimony of approbation of above forty of the most respectable citizens of Philadelphia,* a city in which I have lived for fifty-two years. Of the number, several have been my friends and neighbours for twenty, thirty, and some forty years.

When I thus cite to the bar of the public, bishops, archbishops, members of parliament, privy counsellors, &c., I am well aware—I would be a very idiot, were I not—of the fearful odds against me. Their weight and influence will carry the public with them, against a solitary individual. But this will only be for a time. Truth will ultimately prevail—and their warmest friends will be forced to acknowledge, however reluctantly, that they have not only culpably failed in their regard for the character of their country, but have violated towards me an imperative duty, from which no elevation of office or station can exonerate a gentleman. At this treatment, from which my age and the object of my communications ought to have protected me,

* Philadelphia, July 4, 1834.

Dear Sir,

On behalf of a number of your personal and sincere friends, we have the satisfaction of presenting to you the accompanying Service of Plate, of which they request your acceptance, as a testimonial of their respect for your public conduct, and their esteem for your private virtues. They have long witnessed the unwearied efforts, with which every scheme of private benevolence, and every plan of public improvement, have found in you a zealous and disinterested advocate; and deem *your whole career in life an encouraging example, by the imitation of which, without the aid of official station, or political power, every private citizen may become a public benefactor.* Of this happy union of the social qualities and the patriotic spirit of a good citizen, they wish to offer you this permanent memorial, which they pray you to receive, with their best wishes for the continuance of your health and usefulness.

JOHN SAVAGE, ALEXANDER HENRY,
N. BIDDLE, SAMUEL RICHARDS,
PETER S. DUPONCEAU, JOHN VAUGHAN,
JOSEPH DUGAN, *Committee.*

JOHN MEANY, *Sec'ry.*

Mathew Carey, Esq., Philadelphia.

DONORS.—Messrs. John Savage, Nicholas Biddle, Joseph Dugan, Samuel Richards, Dr. N. Chapman, Alex. Henry, Henry Clay of Ky., John Meany, Charles J. Ingersoll, R. Looney, Nathaniel Dunn, Joseph M'Ilvaine, Dr. James Mease, David P. Brown, Dr. Samuel Jackson, David M'Clure, Joseph R. Chandler, H. D. Gilpin, Dr. Thomas Harris, Nathan Bunker, Wm. Strickland, John Swift, Charles T. Roberts, Stephen Kingston, Josiah Randall, John Vaughan, B. & W. Wilson, Isaac Macauley, Thomas Astley, Mark Richards, P. S. Duponceau, Thomas L. M'Kenney, John Markoe, E. S. Bird, Wm. J. Duane, John Stille, Dr. L. P. Gebhard, Joshua Longstreth.

I felt deep indignation. And can there be found a man of intelligence and honour, who will deny that I had ample cause for that indignation? and that I was fully justified in the strong but decorous language I have used to express it? I trust not. Here I rest my case with a position, which I have often repeated in this affair—When men in elevated situations violate the rules they ought to observe towards those below them, the latter are dispensed from the use of much ceremony in animadverting on their conduct.

"Breathes there a man with soul so dead,
Who never to himself has said,
This is my own, my native land?
Whose heart has ne'er within him burn'd,
As home his footsteps he hath turn'd,
From wandering on a foreign strand?
If such there breathe, go, *mark him well;*
For him no minstrel's raptures swell;
High though his title prove his name,
Boundless his wealth, as wish can claim;
Despite those titles, power, and pelf,
The wretch, concenter'd all in self,
Living, shall forfeit fair renown,
And, doubly dying, *shall go down,*
To the vile dust, from whence he sprung,
Unwept, unhonour'd, and unsung.".

N. B. It would do me great injustice, were it supposed that my object in this book is to revive or excite unkind feelings between the two nations, the English and Irish. It is the farthest from my thoughts. The English of the present day are no more responsible for the atrocities, the rapines, the massacres, of the Urfords, the Greys, the St. Legers, the Cootes, the Iretons, the Cromwells—the piratical proceedings of Strafford or Parsons—the forgery of Mountjoy—or the scheme of Sir John Perrot for swindling the Irish out of £300,000 by the adulteration of the coin, carried into operation by Queen Elizabeth—than the French of the present day are for the horrors of Carrere, Santerre, Conthon, St. Just, and Robespierre. My object has been, and is, simply to vindicate the character of the most calumniated nation on the surface of the globe.

I once more enter my protest against having this work tried by the rigid canons of historical criticism, as if it professed to be a regular history, which is by no means the case. Its highest pretensions are to have an humble place among that class of writings, styled "*Memoires pour servir à l'histoire*," with which French literature has for centuries so much abounded, and which are not restricted to the rigorous rules of history. It comprises a mass of materials, collected with immense application, which will greatly facilitate the labours of some Livy or Tacitus (a Tacitus is the person needed) who may at a future day arise with honesty of purpose, to state "the truth, the whole truth, and nothing but the truth;" and to put down for ever the Munchausenisms of Temple, Borlace, Clarendon, Rapin, Hume, and, though last, not least, the paragon of historical fabulists, Mrs. Macauley.

Indulgence is craved for some tautologies and repetitions, the result of the forgetfulness incident to old age.

PREFACE

TO THE FIRST EDITION.

To most readers it will probably appear a work of supererogation, in a country and an age so remote from the scene and the era of the events which are discussed in this Vindication, to investigate the subjects it embraces. The reasons, however, are powerful, and fully justify the undertaking.

The history of Ireland is almost one solid mass of falsehood and imposture, erected, particularly during the seventeenth century, on the basis of fraud and perjury;—fraud and perjury so obvious, so stupid, and so flagitious, that, to the most superficial observer, it must be a subject of inexpressible astonishment how it ever gained currency.

Nevertheless, from such foul and polluted sources alone, the knowledge of that history is derived by nine-tenths of those who have condescended to study it: and, however extravagant it may appear, it is nevertheless a serious truth, that a large portion even of those who pride themselves on their literary acquirements, are almost as ignorant of the affairs of Ireland, from the twelfth to the eighteenth century, as of those of Arabia or Japan. They are, in fact, in a worse state. With respect to the details of the history of the latter nations, they are barely ignorant: but with respect to Ireland, almost all they know is wholly untrue. They give full faith and confidence to some of the most extravagant and spurious stories that ever were ushered on the world, to delude and deceive mankind, under the prostituted name of histories.

The terrific tales that are recorded of the events of the civil war of 1641, have sowed, and still continue to sow, a copious seed of the most vulgar and rancorous prejudices in the mind of man against his fellow man, which have sprouted forth with most pernicious luxuriance, and soured in the breasts of many the sweet milk of human kindness towards those with whom they are in daily habits of association. These prejudices are too generally prevalent in the British dominions.

In Ireland, they produced the most baleful consequences, and afforded some sort of countenance to the laws "to prevent the growth of popery" —an odious code, by which rapine, cruelty, and demoralization were legally systematized, and every principle of honour, honesty, good faith, justice, and sound policy, violated.

Many of these prejudices have been transplanted from their native soil by emigrants, and have taken root in this country, notwithstanding the general liberality of the age. It is true, however, that their range is confined, and their influence inconsiderable. Nevertheless, extravagantly erroneous impressions respecting Irish affairs are almost universal here, from the corrupt sources whence her heart-rending story is derived.

Should it, therefore, be asked, why I have taken the trouble to explore the musty volumes whence I have drawn the materials for this work? I reply, I have had three motives: the pleasure of detecting and exposing fraud and imposture; the vindication of my native country; and the fond hope, that there are in the United States thousands and tens of thousands of liberal and enlightened men, who only require to have the fair and holy form of Truth placed before their eyes, properly authenticated, to induce them to clasp her to their bosoms. For such I write: and there is a large fund of consolation and encouragement to be derived from the consideration, that I address a public which has no sordid motives of self-interest to impel it to uphold the cause of imposture. There is here no Protestant, nor Presbyterian, nor Quaker, nor Catholic, nor Universalist ascendency, with a power built on the pestiferous basis of fraud, perjury, and misrepresentation—a power unfortunately capable of suppressing the voice of truth, honour, and justice.

This is an inestimable advantage, which writers on this subject, in the British dominions, have not enjoyed to the same extent. The power, influence, and ascendency of the "*sacred caste*," the Irish oligarchs, who upheld the despotism of a dominant and domineering ecclesiastical establishment, which, to compensate them for their services, ensured them the undisturbed possession of so undue a proportion of the honours and emoluments of society, would have fallen prostrate at the touch of the talisman of truth, as the gorgeous fabric of Aladdin's palace fell at the touch of the wand of the genius: and therefore, how disgraceful soever it may be to human nature, it is not wonderful, considering the weakness, the wickedness, and the selfishness of mankind, that so much pains have been taken to stifle the voice of injurious truth, and to perpetuate the reign of productive and lucrative imposture.

Some gentlemen have exclaimed against this undertaking, as pernicious, and calculated to revive ancient prejudices, and excite hostility between different denominations of Christians, and between the natives of the two British islands. Charity induces me to hope, that those who raise these objections are deceived, not deceivers,—that they believe what they profess. But that their impressions, if ingenuous, arise from a very contracted view of the subject, may be made as clear as any axiom in morals or politics.

There might be some plausibility in these objections, had the frauds and falsehoods I have undertaken to expose and refute, sunk into oblivion, and their influence wholly ceased to operate. But they have unfortunately survived the causes which gave them birth; become engrafted in history; taken complete possession of the public mind; and are, by thousands and tens of thousands, almost as implicitly and as universally believed, as the best established facts in the annals of the world. Can the man, then, who honestly endeavours to demolish the fabric of deception, and by this demolition, eradicate the angry passions which it has engendered, be regarded otherwise than as engaged in a laudable warfare,—the warfare of holy truth against impious imposture? Do not those who labour to prevent the success of such an undertaking, uphold, as far as in them lies, the cause of fraud and delusion?

Having stated the motives to this undertaking, I submit to the consideration of the reader the several points which I have laboured, and I trust successfully to establish. That they are of vital importance, and that, if proved, they invalidate a large portion of the history of Ireland, as narrated by Temple, Borlace, Carte, Warner, Leland, Macauley, Hume, and others,

will appear obvious on a slight perusal. This consideration entitles them to a sober, serious examination.

It is not, by any means, pretended that they are discussed systematically, in the order in which they are here arranged. The proofs are dispersed throughout the work; but, notwithstanding their want of arrangement, they cannot, I hope, fail to satisfy every candid mind,—

I. That the assertions of Temple, Clarendon, Warner, Leland, and nearly all the other writers on the affairs of Ireland, that the Irish, for forty years previous to the insurrection of 1641, enjoyed a high degree of peace, security, happiness, and toleration, is as base and shameful a falsehood as ever disgraced the pages of history; and is no more like the real state of the case, than the history of St. George and the dragon is like the true history of England. For

II. That, during this period, there was scarcely a Catholic in the kingdom secure in the possession of his property, or in the exercise of his religion. And

III. That, during the same period, the Irish were plundered by the government of above a million of acres of their lands, in the most wicked, unjust, and perfidious manner; and by rapacious individuals, to an extent beyond calculation.

IV. That O'Conally's pretended discovery of a conspiracy, is one unvaried strain of perjury.

V. That there was no conspiracy for a general insurrection in Ireland, on the 23d October, 1641.

VI. That the basis on which rests the story of the pretended bloody massacre *by the Irish*, is a tissue of the most gross and palpable falsehood and perjury. On the contrary,

VII. That the massacres perpetrated *on the Irish*, by St. Leger, Monroe, Tichbourne, Hamilton, Grenville, Ireton, and Cromwell, were as savage, as ferocious, as brutal, and as bloody, as the horrible feats of Cortes or Pizzaro, Attila or Genghis Khan; and particularly, that history presents nothing more shocking or detestable than the massacre perpetrated by Ireton in the cathedral of Cashel, and by Cromwell in Drogheda and Wexford.

VIII. That the Irish government issued a sanguinary order to slaughter "all men able to bear arms! in places where the insurgents were harboured," without any discrimination between the innocent and guilty! that the Long Parliament enacted an ordinance, "forbidding quarter to be given to any Irishman taken prisoner in England;" and that those bloodthirsty edicts were carried into operation.

IX. That the scheme of a general extirpation of the Irish, as general a confiscation of their estates, and an entirely new plantation of the country, was most seriously entertained, and for some time acted upon, by the Irish rulers and their officers.

X. That the idea of a cessation of hostilities, whereby the Irish might escape from this projected plan of extirpation, excited as universal an alarm in England and Ireland, as if the established religion and government were about to be wholly overturned.

XI. That the Irish government left nothing barbarous, cruel, or wicked, undone, to goad the Irish to resistance, and to extend the insurrection throughout the kingdom, for the purpose of enriching themselves and their friends by confiscations.

XII. That if the Irish insurgents of 1641 deserved to be stigmatized as

traitors and rebels, then were the English revolutionists of 1688, the American of 1776, and the French of 1789, traitors and rebels of the very worst possible kind; as their grievances respectively bore no more proportion to those of the Irish, than the gentle Schuylkill to the impetuous Mississippi, the hill of Howth to the peak of Teneriffe, or lake Erie to the Atlantic ocean.

XIII. That there is a striking contradiction between the facts and inductions of Carte, Warner, Leland, and nearly all the other writers of Irish history.

XIV. That, in the Anglo-Hibernian histories of Ireland, there is so much error and falsehood, established beyond the possibility of doubt or denial, as to destroy the credibility of all that is not fully established by irrefragable documents.

XV. That the seventeenth century, in the British dominions, was characterized by a succession of forged plots, resting on the basis of flagrant perjuries, and calculated to sacrifice the lives and property of the innocent, and enrich malefactors of the worst kind.

XVI. That the Irish code of laws, whose pretended object was to "prevent the growth of Popery," was intended to gratify all the basest passions of human nature, in violation of public faith, honour, justice, and humanity; and that it organized as tyrannical an invasion of liberty, as piratical a depredation on property, and was covered by as base a cloak of hypocrisy as the annals of the world can produce.

I fondly flatter myself, I repeat, that the proofs I have adduced fully establish the whole of these points, and that I shall secure the assent of liberal and ingenious minds to all the essential ones. Against the fortresses of fraud and imposture, I have brought a battery of eight-and-forty pounders, which can hardly fail to demolish them. The arsenals of enemies, some of them most envenomed against the Irish, have furnished all the artillery. The laborious and unwearied research for them, and their mere disposition and arrangement, are all the merit I claim.

It would be a most fastidious and hypercritical delicacy, that should preclude a writer from fairly stating the merits of, and obviating objections to, his materials, or the authorities on which he relies to support his narrative, if he write history; or his discussions, if he investigate historical facts. I neither feel myself, nor fear in my readers any such delicacy. I therefore comment on the materials of this publication, as I should on those of any other whatsoever.

There is, I am persuaded, no historical work extant, that rests on stronger grounds. I am not aware of a single fact of importance, throughout the whole, that is not supported, not only by reference to, but, what is far more important, by quotations from, indisputable authorities,—authorities almost universally hostile to the cause I have undertaken to defend.

Dr. Curry, in his invaluable work, the "Historical and Critical Review of the Civil Wars in Ireland," has set a laudable example in this department of literature. He has, in most cases, established his facts by copious quotations. I have gone beyond his example; been more general in my quotations; and but very slenderly availed myself of the Irish Catholic writers: whereas a large portion of his authorities are of this description; and although they are in themselves perfectly sound and unexceptionable, yet

they are liable to cavil, for which I was determined to afford no pretext whatever. On such a question, Catholic authorities would not have sufficient weight with minds devoured by prejudice; and would come before the world in a questionable form, subject to suspicions of partiality. I have therefore almost wholly dispensed with them throughout; so that, in above eleven hundred quotations, there are not twenty from writers of that class; and, in one of the most important chapters of the book, that on the subject of the massacres and murders perpetrated on the Irish, I have not availed myself of a single one of their advocates. In this respect, therefore, the work rests on the most impregnable foundation. No similar instance has probably ever occurred.

My heart swells with a glow of satisfaction and pride, that I can come before the critical world, with a defence of Ireland, resting on the names of Spencer, Davies, Coke, Temple, Borlace, Clarendon, Nalson, Carte, Warner, Leland, Baker, Orrery, Rushworth, &c. nearly all of whom were open inveterate or concealed enemies of that country and its unfortunate inhabitants. It may seem extraordinary, that there is on the list the name of the wretched Temple, who was so far ashamed of his own spurious work, that he endeavoured, but in vain, to suppress it: but it is the peculiar felicity of this undertaking, that it may be fairly said to this father of all the imposture,

"By thy words thou shalt be condemned;"

for, were all the other authorities, cited in this work, totally annihilated, there is enough in Temple's miserable legend to demolish the fabric of fraud and deception, in the erection of which, so much time, and such varied talents, have been prostituted for a hundred and ninety years past.

That the work is considerably defective—that the arrangement is in many places injudicious and confused; and that I have not employed enough of the limæ labor, I freely admit. I stand self-condemned. That I have not done justice to myself, in presenting it to the public in such an imperfect state, is of little importance. This might lower the sails of my vanity: but it could affect me alone. But, having undertaken the delightful task of vindicating the country of Swift, Parnell, Goldsmith, Sterne, Farquhar, Burke, Flood, Curran, Grattan, Montgomery, and a long and bright galaxy of such illustrious characters; a country whose natives, notwithstanding the countless blessings bestowed on them by Nature, in local situation, fertility of soil, and salubrity of climate, have been for ages doomed to pine in the most abject poverty, wretchedness, and idleness at home; but abroad, in every region and every clime of the known world, have displayed the brightest energies of the human character, in all the varied walks of life; a country which has furnished almost every nation in Christendom with statesmen and warriors, driven from their native soil by lordly despotism, rampant injustice, and religious intolerance; a country the most calumniated, and among the most oppressed, in the world: having as fair a field to explore as ever courted the exertions of any writer, in any age or country, I most deeply regret, and sincerely apologize for, the want of judgment which led me to appear precipitately before the public, without that degree of elaboration which the importance of the subject demanded.

Having candidly avowed thus much with respect to the execution of the work, I trust I shall not be censured for expressing a hope, that there is, in the object I have had in view—the glorious cause I have undertaken—and the impregnable basis on which this Vindication rests, a redeeming virtue,

that would atone for defects and imperfections even greater than are to be found in these pages. He must be a most fastidious epicure, who, when hungry, would turn in scorn from excellent viands, merely because the *traiteur* had been injudicious or inexpert in the cookery: and a reader would be equally injudicious, who should reject a work, which shed the broad glare of truth on an important and much-misrepresented period of history, merely because the writer had failed in the due arrangement of his materials.

In following the track of such an indefatigable writer as Curry, who has almost exhausted the sickening subject, it would be hadly possible to avoid using the same materials, and frequently making analagous dispositions of, and deductions from, them. This is the fate of every writer who travels over ground already beaten. A man who writes history, or discusses historical subjects, of remote periods, is no further worthy of credit, than as he narrates facts already recorded. Invention and fraud are synonymous terms. All that remain for modern writers, who treat of remote events, are, laborious research; judicious selection of materials; fidelity of reference or quotation; and correct induction. How far I have succeeded with the second and fourth, the world will decide: but to the first and third I fearlessly lay claim. I have spared neither pains nor expense in procuring the necessary materials, nor time nor labour in their examination. Almost every book in the Philadelphia library, bearing on this subject, (and the number is immense,) I have examined; and moreover procured many, which it does not contain, from New York, Baltimore, and Burlington.*

On the subject of fidelity of quotation, I wish to state, that I have been as careful as human frailty would admit, to avoid errors: but in the very unusual number of authorities, some may have escaped me. If this be the case, I am satisfied they are few and unimportant. Should any be discovered, I shall regard the communication of them as a signal favour.

My requisitions on the reader are few and simple. I merely request a candid and patient hearing; that no inveterate prejudice may be allowed to operate against me; and that the "Vindiciæ Hibernicæ" may not be arraigned at the bar of criticism as if it were injudiciously offered to the world as a regular, systematic, finished work, to which it explicitly declines making any pretensions,—but rather as a series of distinct and somewhat desultory chapters, tending to prove certain points, each in some degree insulated from the rest. To this view, I request the most particular attention; and that it may be constantly borne in mind, throughout the perusal of the

* It is not pretended, that I have read all the books I have quoted. Half a life would scarcely be adequate to this purpose. No man of business could read Thurloe and Rushworth, amounting to fifteen ponderous folios, in less than two or three years. But four-fifths of the books to which I have referred, and many others which were too barren to afford a single passage, I have examined page by page. Others have been more slightly searched; and of some, only certain volumes, on cotemporaneous events. Those accustomed to investigations of this kind, know that a single glance frequently suffices to ascertain whether a page be likely to furnish suitable matter. This has been remarkably the case with Thurloe, Rushworth, and Clarendon. Temple, Carte, Warner, Leland, and some others, who have furnished the principal part of my materials, required, and have accordingly received, a closer examination. But of the matter suitable for my purpose, even in these works, a large portion must have wholly escaped me, from the rapidity of my researches. Moreover, of my selections, I have not been able to avail myself of more than one-third part, in consequence of the limits prescribed to this work.

work. I court and defy the most rigorous scrutiny into my facts and inductions. Let no indulgence be shown to those on which there is the least doubt or uncertainty: let all be rejected, that do not carry with them irresistible conviction. If, in the ardent zeal I feel in what I deem the noblest of causes, I have, on some particular points, occasionally overrated the force of the evidence, and drawn conclusions which that evidence does not appear to warrant, and if my positions on those be rejected, I trust that this decision will not affect any of the others. Let each stand forth substantively by itself, and not bring on the downfall of its neighbour by its error, or support its neighbour's error by its truth.

Pecuniary considerations have had no place among the motives that led to this undertaking. This edition consists of only seven hundred and fifty copies, of which two hundred and fifty are intended to be gratuitously distributed to public libraries, reading-rooms, and enlightened individuals; in order to afford the work a fair chance of perusal, and my calumniated country an opportunity of justification.

Philadelphia, March 6, 1819.

FROM THE PREFACE

TO THE SECOND EDITION.

Since the appearance of the first edition of this work, it has undergone a complete revision. Having enlarged the size of the page, and greatly reduced that of the types, I have been enabled to make very copious additions to its contents, which are nearly doubled. The time it embraces is extended down to the present century, having introduced a view of the chief portions of the barbarous code for "preventing the growth of popery."

I have, moreover, rendered the work far more methodical than in the former edition—dividing it into several distinct periods, as nearly as possible in chronological order.

Let me be allowed to avail myself of the words of the great Chaptal. "I have neglected nothing to procure correct information. I do not, however, pretend to publish a perfect work. All that I can pledge myself for, is, that it emanates from honest intentions."

In the compilation of history, at least on all disputed points, it appears an incumbent duty to refer with precision to the authorities from whence the materials are derived. A mere reference to the name of the author is not sufficient. Not only the page, but the particular edition, ought to be pointed out with precision. To this I have uniformly attended, except in Whitelock's memorials.*

* Of this work I have used two editions, one published in 1682, and the other in 1724. One of them has been unaccountably lost or mislaid, and hence has arisen a confusion in

The histories of Irish affairs are wonderfully deficient in this respect. I have now before me Clarendon's History of the Irish Rebellion, and Crawford's, Gordon's, Lawless's and Leland's histories of Ireland, and Warner's history of the rebellion. The first four scarcely contain a single reference, note, or illustration. Every thing depends upon the mere ipse dixit of the respective writers. Leland's history has a few references, but frequently not on the most disputed points. Moreover, half his references are merely to the title of the work, or the name of the writer, without stating the chapter or page, a mode of reference of little avail. Who will take the trouble of canvassing a volume of four or five hundred pages, to verify a passage, with no clue to guide him to the particular page or even chapter of the work, from whence it is said to be derived?

Warner's plan is still more unsatisfactory. At the head of each Book, he arranges the names of the authors, or the titles of the works, that furnish his materials. At the commencement of the first Book, for instance, he has —Clarendon, Castlehaven, Cox, Temple, Borlace, Harris, and Historical Memoirs, without the least indication of what he has derived from any of them. Some of these writers are at daggers' points with others—some are wholly unworthy of credit—and some entitled to implicit confidence. The reader, therefore, wholly uncertain on what authority any particular statement rests, must be unable to decide how far it is deserving of attention.

The paging of some of the books which I have quoted, is so extremely incorrect, that I think it necessary to caution such of my readers as may be disposed to examine my authorities, not to be too hasty in condemning me should they occasionally find the paging not to correspond exactly. The two most remarkable works for such errors, are Rushworth's Collections, and Cox's History of Ireland, in both of which the same pages are frequently repeated. There is scarcely a volume of the first, wholly free from errors of this description. Some of them are of the most egregious kind.

The fourth volume of that work has the leaves from 552 to 565 paged only on one side; and from 401 to 440 are duplicates. In the seventh volume, the paging runs 731, 232, 233, 334, 335, 336, 737. Various other errors occur.

In Cox's Ireland, the paging is entirely erroneous from 350 to 381. Some pages occur twice, as 354, 355, 367, 368. In Cabala, likewise, some pages occur twice. Erroneous paging prevails in several others of the works which I have used.

Of Ware's works I have used two different editions. One, a single volume folio, published in Dublin, 1705, contains some articles, particularly a tract styled "Gesta Hibernorum," which are omitted in the more recent edition, published in the same place, in two volumes, folio, anno 1764. From this tract I have made several extracts.

Philadelphia, Oct. 20, 1823.

the references, which I tried to avoid, but in vain. To some of the pages of particular passages, I was wholly unable to refer. Of one point the reader may rest assured, that I have been as scrupulously exact as possible in my quotations, and that I feel persuaded there is not a material error in that respect in the work.

KEY TO THE REFERENCES.

To enable any reader, who may feel so disposed, to verify the facts and quotations in this work, I annex a List of the Authors, with the dates of the several editions. Having, to avoid encumbering the pages with tedious repetitions of the titles of works, generally referred to the authors' names, this list furnishes a key to the references.

Baker. Chronicles of the Kings of England. Folio. Title wanting.
Borlace. History of the Execrable Irish Rebellion. Folio. London, 1680.
Burke. Works of the Right Hon. Edmund Burke. 6 vols. 8vo. Boston, 1807.
Burnet. Burnet's History of His Own Times. 2 vols. folio. London, 1724.
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NEW-YORK
HISTORICAL

VINDICIÆ HIBERNICÆ.

PRELIMINARY CHAPTER.

Desultory observations on historical writing. Its difficulties extreme. Discrepancies and falsehoods. Irish history more difficult, and more replete with fraud, than any other. President and Little Belt. Enormous errors in Temple, Borlase, Clarendon, Rapin, Warner, &c. To the reader of Irish, more than any other history, extreme caution is necessary. Adequate reasons for the falsehood and corruption of Irish history.

"There is but little respite from exasperating oppression and unmerited cruelty. The eye wanders over a dreary scene of desolation without a single point on which it can rest. The heart of the Philanthropist sinks under a hopeless despondency; and passively yields to the unchristian and impious reflexion, that the poor people of Ireland are a devoted race, whom Providence has abandoned to the malignant ingenuity of an insatiable enemy."—LAWLESS.

"I think I can hardly overrate the malignity of the principles of the Protestant ascendancy, as they affect Ireland."—BURKE, V. 232.

Of all the modes of employing the intellectual powers of man for the benefit of the great family to which he belongs, there is probably none superior, in its beneficial tendency, to history, properly executed. When thus executed, and judiciously studied, it is fraught with advantages of the most signal kind. Its operation in the moral, bears a strong analogy to that of the sun in the natural world. It sheds beneficent rays of light around, and dispels those mists and darknesses which bewilder the traveller, and obscure his path. It unerringly points out, to governments and people, the career of rectitude and safety. The wisdom and folly of our predecessors, placed before our eyes, clearly display the course we ought to pursue, as well as the conduct we ought to shun; and the most characteristic difference between a sound and a pettifogging statesman, is, that the warning voice of history has its due share of influence on the former, while it sounds in vain in the ears of the latter.

But when this species of writing is made subservient to the sinister purposes of a party or faction, as is frequently the case—when servile fear, or a sordid and mercenary thirst of gain, or any other sinister motive induces a writer to calculate his work to palliate their enormities, or to perpetuate their power—when wicked and profligate men, who ought to be held up to the execration of mankind, are pourtrayed as objects of esteem and veneration—when actions worthy of gibbets and guillotines, are blazoned forth as proofs of patriotism and public spirit—when fraud and falsehood guide the pen—or indolence neglects to unbar the entrance into those stores, whence alone the truth can be derived,—then the valuable purposes of history are perverted—the fountains of correct information corrupted and poisoned—an undue bias

is given to the public mind—and the guilty authors have a fair and indisputable claim to the most unqualified reprobation.

Under this censure fall the major part of those who have written on the affairs of Ireland, whether in the imposing form of histories or political pamphlets, and anniversary sermons.* The leading object with most of them has been to foster the most illiberal and unfounded prejudices,—to support and justify the oppression of a lordly aristocracy, which, for more that a century and a half, has, with the most unfeeling tyranny, rode rough-shod over the great mass of the nation,†—and to hold up that mass as objects of abhorrence. There are exceptions: a few writers have dared to utter bold truths, however unpalatable to this aristocracy. But it is a melancholy fact, that so inveterate has Prejudice been on these topics, and so difficult is it to shake off her iron yoke, that even well-intentioned writers on Irish affairs have fallen into many of the most egregious errors of their predecessors.

I shall give one instance, though rather out of place here. The least exceptionable English historian of the calamitous period of the civil war of 1641, is the Rev. Ferdinando Warner. He has, however, fallen into very glaring and numerous errors. In the account, for instance, which he gives of the massacre, (as it is termed,) of 1641, he colours as highly, and uses almost as extravagant terms, as those who asserted that there were one hundred and fifty-four thousand murdered in three months; or as others, who carried the number to three hundred thousand; or as Milton, who extends it to above six hundred thousand!‡

* For above a century, the talents of numbers of clergymen of the established and Presbyterian churches in Ireland were employed, through the medium of anniversary sermons, to perpetuate and increase the rancour and hostility instilled from the cradle into the tender minds of the different denominations of Protestants against their Roman Catholic fellow-subjects, which they carry to the grave, many of them across an ocean three thousand miles in extent. The store-house, whence were derived these incendiary weapons, has been the "thirty-two volumes" of depositions, deposited in the Library of Trinity College, Dublin, on which Dr. Warner pronounces this sentence of condemnation: "*There is no credit to be given to anything that was said by these people*, which had not other evidence to confirm it. And the reason why so many idle tales were registered of, *what this body heard another body say*, as to swell the collection to two and thirty thick volumes in folio, closely written, it is easier to conjecture than it is to commend."—Warner, 146.

† This refers to the barbarous and piratical code, enacted for the ostensible purpose of "*preventing the growth of Popery*," a system admirably calculated to oppress and impoverish, as well as brutalize and demoralize, the mass of the nation, and enslave them to the aristocracy or oligarchy that ruled the land; to the development of the atrocious wickedness of which code I shall dedicate one or two chapters.

‡ Few, even of the learned, know this fact respecting Milton, which displays such an awful disregard of truth, as attaches an eternal blot on his memory. The reader may readily conceive what poignant distress was excited by the discovery of a procedure so diametrically opposite to the general character of Milton, whom we are taught, from infancy, to regard as ranking among the best of men. But, after all, it only adds one to the numberless proofs already before the world, of the fallibility of human nature, and evinces that he was but a mere man, and, so far as respects this case, either grossly deceived, or a gross deceiver;—there is no other alternative: and a liberal examination will more readily incline us to place in the latter than in the former class, the man who could, in cold blood, to pander to the purposes of a party, intimate an opinion, that there were above *six hundred thousand Protestants massacred* in Ireland, at a period when the whole population was only 1,466,000, and when the Protestants were but *as two to eleven of the Roman Catholics*.—Petty, 318.

This statement of the Massacre by Milton, I have taken from Harris's historical

And yet, wonderful to tell, when, towards the close of his work, he enters on the examination of the evidence, he finds it so ridiculous and inadmissible, that he rejects nineteen-twentieths of it, and reduces the whole number murdered to "four thousand and twenty-eight!!!"[1] Thus, his facts not only do not warrant his inferences, but absolutely destroy them; for it is perfectly obvious, that if there were but about four thousand murdered, the numberless cruelties he so elaborately pourtrays could not possibly have taken place.

In the whole range of history, there is not probably a period that holds out stronger inducements for discussion, that affords a more fertile field, but that is attended with more difficulty,* than that of Ireland, during the first half of the seventeenth century, to which I principally wish to call the attention of the reader.

But the sinister views or the indolence of historians, are by no means the only rocks on which history, so far as its noble and legitimate purposes are concerned, is in danger of shipwreck. There are various others, equally formidable. With the most enlightened mind, and the purest intentions, the task of the historian is extremely arduous; and he will, for want of proper charts, be occasionally, perhaps frequently, driven upon the shoals and quicksands of error and falsehood. So much of the real character of events, and of the actors in them, depends on numberless minute circumstances, which elude observation, or are liable to extraordinary misconception, that it is obvious, historians are often obliged to substitute conjecture for fact; and hence profound

account of the life and writings of Charles I.[2] in these words—"Milton in the second edition of his Iconoclastes, has the following passage—

"The rebellion and horrid massacre of English Protestants in Ireland to the amount of 154,000 in the province of Ulster only, by their own computation; *which, added to the other three, makes up the total sum of that slaughter, in all likelihood, four times as great.*"

Let it be observed, however, that there are in the Philadelphia Library, two editions of Milton's works complete, dated 1738 and 1753, in both of which the latter part of the passage, in Italics, is omitted.

We are therefore reduced to this dilemma:—either Harris was guilty of a base fraud and literary forgery, or Milton stated the falsehood, as above quoted; but as Harris was a man of respectable character, and as, moreover, his work has passed the ordeal of criticism in England, the former supposition cannot be admitted. Indeed the supposition of such a fraud would be to the last degree incredible. The only conclusion that follows, is, that the passage is fairly quoted by Harris; and that Milton, ashamed of the monstrous and extravagant legend, to which he had lent the sanction of his name, struck it out, after the second edition of his work. This recantation extenuates the crime, but by no means does away the original guilt of the criminal.

* This difficulty requires explanation. The powerful influence of the oligarchy in Ireland, which triumphantly styles itself, "*the Protestant ascendancy*," has been erected on the basis of the frauds of this portion of the history of Ireland, whereby they have been enabled to enslave, oppress, and plunder their fellow-subjects at their pleasure: and "Great is the Diana of Ephesus," whenever the "*craft was in danger*," by any serious efforts to dispel the mists of prejudice, they have spared neither pains nor expense to counteract the Godlike purpose, and to perpetuate the falsehoods, on the basis of which their predominance was originally established. Their most sacred maxim, like that of all other oppressors, has been—*Divide et impera.*

1 Warner, 297. 2 Page 337. London, 1758.

observers have styled histories "splendid romances;" to which designation unfortunately a large portion of them are fairly entitled.

In the accounts given of the same occurrences, by cotemporaneous writers, of adverse parties or hostile nations, there is often such a total discrepancy, that they hardly agree in any thing but the dates and names of persons and places; were these stricken out, it could not be conceived that the narratives had reference to the same events. And the most extraordinary trait in the affair is, that these contradictory and irreconcileable accounts are frequently bolstered up, on both sides, by the solemnity of appeals to heaven, in the form of oaths, taken by persons, who, from their standing in society, ought to be above the suspicion, not merely of perjury, but of the slightest departure from truth.

As one appropriate example is of more avail than a long train of reasoning, I wish to call the reader's attention to a striking and recent case, which places the difficulty I have stated in the strongest point of light, and cannot fail to impress him with a clear idea of its serious importance. On the 16th of May, 1811, a rencontre took place between two vessels of war, American and English, the President and Little Belt, in which the latter lost a number of men, and was in imminent danger of sinking. In every material fact, the accounts of the commanders were entirely different; and to such an extraordinary degree, that there is no room to ascribe the discordance to mistake. There must have been clear, deliberate, and disgraceful falsehood on one side or the other. There is no other alternative.

Commodore Rodgers stated, that he hailed first,—that his inquiries what was the name of the vessel, &c. were returned by similar inquiries,—and that, when he repeated his hail, he was saluted by a shot, which he of course returned;—that then three others were fired by the Little Belt, which were followed by the rest of her broadside, and all her musketry;—that he then "*gave a general order to fire*," which, in "from *four to six* minutes," partially silenced the guns of his antagonist, and induced the commodore to order a cessation of firing;—that in four minutes, the fire was renewed by the Little Belt, and returned by the President with so much effect, that the gaff and colours of the former were down, her mainsail-yard upon the cap, and her fire silenced.

Captain Bingham, on the contrary, stated, that he first hailed the President, of which there was no notice taken;—that he was hailed afterwards by that vessel, and the inquiry accompanied by "*a broadside*," which was "instantly returned." He adds, "the action then became general, and continued for *three quarters of an hour*, when the President ceased firing, and appeared to be on fire." "He was," he adds, "obliged to desist from firing," that is to say, from the attack on the President, as the latter vessel "falling off," his guns "would not bear on her." However quixotic and ludicrous it may appear, the inference is not overstrained, that he wished it to be understood that the President had escaped from him!

The discrepancy here is extreme. Each party charges the other with the original offence of the aggression. This is all-important. The American commander states, that, on the first rencontre, he silenced the Little Belt in from four to six minutes,—and, on the second, in from three to five: whereas, according to Captain Bingham, the ac-

tion continued "*three quarters of an hour*," and was discontinued by Commodore Rodgers, whose vessel was on fire;—and he, [Captain B.] was disabled from pursuing the President, in consequence of the state of his sails and rigging. To cap the climax, the depositions of a number of the officers and men on both sides were taken, and appeared to confirm these contradictory accounts; so that, to gross and revolting falsehood, is added barefaced perjury, on one side or the other. It is wholly irrelevant to my purpose to inquire where the falsification rested. Subsequent events, however, have shed amply adequate light upon the subject.

This strong and pointed case merits the most serious attention of the reader. To the falsehood and perjury involved in it, there were no extraordinary temptations, except on the part of the aggressing commander. It might have been of great importance, indeed, to him to exonerate himself from the criminality of the aggression, in order to escape the danger of being cashiered; but the officers and men had no such temptation: nor is it easy to perceive what temptation they could have had to the commission of such a heinous offence.

Although no analogous facts, how strong soever, could enhance the cogency of the inferences deducible from this incident, two are given in the annexed note.*

There is one point of view in which this affair of the Little Belt may be regarded, that ought not to be overlooked. In the present state of printing, and the open, unreserved communication between nations, flagrant fraud and falsehood can hardly flatter themselves to escape detection. This consideration must have powerful operation to circumscribe and restrain them, and was comparatively inoperative in former times, when, of course, the inducements to fraud and perjury were incomparably greater than they are at present.

The application remains, and can hardly fail to have been anticipated by the reader. The slenderness of the temptation to perjury, and the absolute certainty of detection, did not deter from it in this case. What a lesson on history generally—but more especially on Irish history! What dependence, under this view of the materials from which history is formed, can be placed on the accounts of the affairs of Ireland, which are wholly *ex parte*—where the temptations to perjury were so enormous, (being nothing less than the fee-simple of millions of acres,) where detection was so difficult, and where numberless palpable perjuries incontestibly proved beyond doubt, are on record?

In such cases of discrepancy as that of the President and Little Belt, (and similar ones are to be found on almost every topic of importance,) how can even a cotemporary historian, with very considerable advan-

* Two cis-Atlantic cases, of recent discussion, afford abundant matter for reflexion. They are, the battle of Bunker's Hill, and the capture of Major Andre. The opinions that have heretofore universally prevailed, respecting the conduct of General Putnam in the former, and on the character and motives of the captors of the unfortunate major, have been of late brought into controversy, and debated with great zeal and ardour. On the latter question, the opinion, so honourable to the parties, as well as to their country, whereby the procedure is rendered so invaluable and beneficial to the world in point of example, has been unanimously confirmed by the public. But with respect to General Putnam, the question appears to be *adhuc sub judice*, after having slept for above forty years. So much for history, even under its most favourable aspect! What must it be under its worst?

tages, decide between the contradictory accounts? He must have been an eye-witness of few of the events he narrates. For all the rest he must necessarily depend on the accounts of others. He must either rely on one side or the other, or blend the two accounts together. In either case, error appears, as already observed, absolutely inevitable. And even of those events in which the writer has himself been a party, he must derive much of his information from others. An officer, who has been engaged in a battle, can have had but a limited view of the passing events. Armies sometimes occupy miles square; and therefore small is the portion that can be accurately surveyed by any individual.

If this view be correct, as I think can hardly be disputed, even so far as respects history written with a sincere regard to truth, and a fixed and unalterable determination not to swerve, intentionally, from her luminous path, how deplorable must be the case with histories, of which the original authors were under the influence of all the hideous passions that deform and degrade human nature, and assimilate men to demons—dire insatiable rancour, national hostility, a ravenous thirst for the blood* and estates† of the natives, and bigotry of the blindest and most malignant character,‡ and where the modern authors are servile copyists, who implicitly follow in the beaten and foul path of their predecessors!

* However horrible it may appear, I shall satisfactorily prove in the sequel from Carte, Leland and Warner, that the *total extirpation of the Roman Catholics of Ireland* was contemplated by the ruling party in England and Ireland for a considerable time after the commencement of the insurrection of 1641.

† The confiscation of the whole island, except such portion as was in the possession of the Protestants and Presbyterians, shall be proved to have been another favourite project of that period.

‡ Thank Heaven, we live in an enlightened age, whose liberality on the subject of differences in religious opinions, renders it difficult to conceive the deplorable bigotry and rancorous spirit of intolerance, that prevailed in that dark and persecuting era, the seventeenth century. Each denomination of Christians regarded its own opinions as infallible, and all others as heretical and damnable: and, next to the right of worshipping God as they thought proper, they prized the right to control, restrain, and persecute all who dared to differ from them. All abhorred toleration as the greatest abomination; and instances are to be found, of individuals and bodies of men exculpating themselves from the charge of being friendly to it, as if it were some foul crime. The solemn league and covenant, which for a time, was most tyrannically enforced on all classes, expressly avowed its object to be "the EXTIRPATION of *Popery, prelacy, superstition*, heresy, schism, and whatsoever shall be found to be contrary to sound doctrine and the power of Godliness." Popery had originally an exclusive monopoly of the detestation of the Puritans; but when they had succeeded in suppressing it, the established religion, from its supposed affinity to Popery, became almost equally odious to them; and, whenever they had the power, was prohibited under heavy penalties, not quite so severe, however, as those against Popery. "*Heresy, schism, and whatsoever shall be found contrary to sound doctrine and the power of Godliness*," embraced every religious opinion or practice, which in the slightest degree varied from the Westminster Confession of Faith. This was the standard of perfection, by which the ruling powers, for a season, measured rectitude or depravity of faith and conduct. It was the true theological and intellectual bed of Procrustes, whereby redundancies of opinion were to be lopped off, and deficiencies to be supplied. He who could not command or feign assent to the most minute particulars of this confession, was branded as a "*delinquent*," no matter how orthodox he might be in general. The solemnization of Christmas, and various ceremonies, wholly indifferent in themselves, were interdicted, and made punishable. The use of the book of common prayer was likewise forbidden, under heavy penalties.

CHAPTER II.

Situation of various conquered countries. The fate of Ireland more calamitous and wretched than that of almost any other subjugated nation. A flagitious code of laws. Murder and robbery legalized by act of Parliament. Despotic power of lords deputies. Martial law.

"Every inconsiderable party, who, under pretence of loyalty, received the king's commission to repel the adversary in some particular district, became pestilent enemies to the inhabitants. *Their properties, their lives, the chastity of their families, were all exposed to barbarians, who sought only to glut their brutal passions*, and by their horrible excesses, saith the annalist, purchased the curse of God and man."—LELAND, I. 331.

IN most cases of conquered nations, the subjugated people, after scenes of desolation and slaughter, generally become amalgamated with their conquerors, and partake of their laws and privileges—or else the latter adopt those of the former. Thus the countries conquered by the Romans enjoyed the benefit of Roman laws. The various provinces from time to time conquered by the French were incorporated with the rest of the country, and either had the benefit of the general laws, or retained their own provincial customs.

When the Normans conquered England, the battle of Hastings terminated the havoc of the conquered nation. Great mutations of property took place, until the cravings of the conquerors were satisfied. They then ceased for ever. The conquerors and the conquered were consolidated into one common mass, and formed but one people. In a hundred years all distinction between them was wholly lost.

Wales, too, when conquered by Edward I. after the vengeance of the ruthless conqueror was satisfied by the immolation of the bards, enjoyed as much prosperity as during her independence, perhaps more. There were no wars, no massacres, no rapines, no acts of attainder, no confiscations of millions of acres.

The conquest of China by the Tartars was similar in point of life and property—but wholly different as to laws, customs and manners, all of which were imparted by the conquered nation to the conquerors.

But to the ill-fated Irish such happiness was unfortunately denied. The sordid and selfish views of the Irish administrations issued a mandate of proscription against them. Age succeeded age, and found a wretched system in constant operation, to prevent the amalgamation of the two nations into one, and to expose the unhappy natives as a constant incentive to the avarice and other baleful passions of the invaders and their descendants, and a constant prey to their violence, without the shadow of the protection of law or justice. In fact, to the unbridled indulgence of those passions, which it has been the steady aim of all wise legislators to curb and control by strong penal sanctions,

this vile code held out every encouragement.* It combined almost all the odious features, which have at any time distinguished the worst governments in the world. Its inevitable tendency—indeed, its grand object—was to draw an eternal line of separation between the two descriptions of inhabitants—the English and their descendants, and the native Irish, and to perpetuate a deadly, rancorous and interminable hostility between them. In consequence, Ireland, for nearly four hundred years, was a great human slaughter-house, deluged with blood. Proofs of this state of things in the fourth chapter.

To the mass of my readers this hideous picture will appear a caricature, pourtrayed by a heated imagination. This is not wonderful.—For that such a horrible system should have continued for centuries is truly incredible. And therefore I feel it incumbent on me to prove by testimony of the most indubitable character, that it is a fair representation of a system, which, for above five hundred years, blighted and blasted one of the fairest portions of the earth.

In order to establish these positions, I shall in the first place give a sketch of a few of the most striking of the cruel laws enacted against the native Irish, and then detail the effects they produced.

The first law to be noticed is one whereby the murder of an Irishman was punishable only by a fine—whereas the murder of an Englishman was a capital offence.† The flagrant injustice of this law, and its pernicious effects on society, are too plain and palpable to require comment.

Marriage or fosterage with the natives, or gossipred, which was a tie of uncommon force among the Irish, were by law declared high treason,—a law tending to render eternal the hostility, and spread wide the devastation and horrors of warfare, between the aboriginals and the English colonists,—a law, in a word, of the most baleful tendency.‡

Forfeiture of land was the penalty on an Englishman, using the Irish language, or Irish customs, unless security were given to renounce them.§

Heavy penalties were enacted against such of the English as allowed Irishmen to graze their lands.‖

The property of an Irishman about to depart the country, might be

* That it held out encouragement to robbery and murder, will appear in the succeeding pages, from a view of the odious code of laws established there.

† "*The murder of an Irishman was punishable only by a fine, a slight restraint on the rage of insolence and rapine;* while the murder of an Englishman was a capital offence in the Irish native."—Leland, I. 329.

‡ "It was enacted, that marriage, nurture of infants, and gossipred with the Irish, *should be considered and punished as high treason!!!*"—*Idem*, 378.

§ "If any man of English race shall use any Irish name, the Irish language, or the Irish apparel, or any mode or custom of the Irish, the act provides that he shall forfeit lands and tenements, until he hath given security in the court of chancery, to conform in every particular to the English manners; or, if he have no lands, that *he shall be imprisoned until the like security be given.*"—*Idem*, 378.

‖ "It *was also made highly penal to the English, to permit their Irish neighbours to graze their lands;* to present them to ecclesiastical benefices; or to receive them in monasteries or religious houses; to entertain their bards, who perverted their imaginations by romantic tales, or their news tellers, who seduced them by false reports."—*Idem*, 379.

seized by an Englishman, who was entitled to one-half as a premium for the robbery.*

An Englishman, who was robbed by an Irishman, might reprize himself on the whole sept to which the offender belonged. And if he falsely asserted he was robbed, by what means could he be convicted of the falsehood? This act legalized, and of course held out strong encouragement to a constant and systematic course of robbery and plunder.†

Englishmen who claimed debts as due by Irishmen, might in corporate towns, without the aid of a magistrate, seize the property of the debtors if they came within the precincts. And there was nothing to prevent the seizure in the case of a pretended as well as of a real bona fide debt.‡

By a law made in the reign of Edward IV. it was enacted, that any Englishman, meeting an Irishman robbing, or *going to rob*, or *coming from robbing*, unless he had an Englishman in his company, might kill him, and *cut off his head*, WITHOUT TRIAL;§ and, on bringing the head to the portrief of the town, he was further authorized to levy "with his own hands," and those of his aiders in the murder, two pence for every plough land, one penny for every half plough land, as well as for every house and property worth forty shillings. This law did not merely legalize murder, but offered a premium for it; any Englishman might, at his pleasure, cut off the head of an Irishman,‖ and declare that he *was going to rob*, or *coming from robbing:* which assertions it was impossible to disprove; and a man, going to, or coming from, church, might be murdered, on pretence that he was *going to rob*, or *coming from robbing*. The murderer could then

* "The person and goods of an Irishman, attempting to transport himself without license, might be seized by any subject, who was to receive one moiety of the goods for such service, the other to be forfeited to the king."—*Idem*, II. 9.

† "If any Englishman be damnified by an Irishman not amesnable to law, *he may reprize himself upon the whole sept* or nation."—Cox, 172.

‡ "As to most of the corporate townes there, it is graunted by their charter, that they may, every man by himselfe, without an officer, (for that were more tolerable,) for any debt, distraine the goods of any Irish, being found within their liberty, or but passing thorough their townes.'"—Spencer, 50.

§ "It shall be lawful to all manner of men that find any thieves robbing by day or by night, or *going or coming to rob or steal, in or out, going or coming*, having no faithful man of good name and fame in their company, in English apparel, upon any of the liege people of the king, *to take and kill them*, and TO CUT OFF THEIR HEADS, *without any impeachment of our sovereign lord the king*, his heirs, officers, or ministers, or of any others.

"And it shall be lawful to the bringer of the said head, and his aiders to the same, for *to distrain and levy by their own hands*, of every man having one plough land in the barony where the said thief was so taken, two pence; and of every man having half a plough land, one penny; and of every man having one house, and goods to the value of forty shillings, one penny; and of every other cottier, having one house, and smoke, one half penny."—*Statutes*, 21.

‖ The statute does not actually mention "an Irishman"—but that such is its intent and purpose cannot be for a moment doubted; for otherwise why should the company of a man of good name in *English apparel*, be sufficient to protect the real or supposed thief? But all doubt on the subject is removed by the fact, that the murder of an Englishman, or the descendant of an Englishman, as above stated, was a capital crime—and of course this summary process of decapitation would not be countenanced so far as regarded the inhabitants of the pale.

levy contributions on the barony, as a remuneration for the slaughter; and, considering the deadly hostility between the two nations, and the slight importance attached to the life of an Irishman, it is far from improbable that many hundreds of them were thus decapitated; and that the business of chopping off heads was made as regular a trade, and as profitable a means of subsistence, as in some countries is the employment of shooting wolves or bears.

By another law, any man found within the pale, with the beard on the upper lip, which was the Irish custom, might be seized, with his goods, as an Irish enemy, and ransomed as such.*

By another, five of the best men of every stirpe were obliged to deliver up all of their surname charged with offences, or *to answer for the offences themselves!* † Of course, when criminals escaped, their namesakes, how innocent soever, underwent the penalty of their offences!

If any bishop or archbishop promoted an Irishman to the situation of a canon, or to any ecclesiastical situation whatever, he forfeited the whole amount of his living.‡

The system adopted in Ireland secured neither the lives nor the property of the natives, nor the chastity of their wives or daughters.—Their situation, as justly observed by Sir John Davies, was incomparably worse than that of foreigners; for the life or property of a Frenchman, a Spaniard, or a Mussulman was adequately protected within the English pale. If any of them were robbed or murdered, the criminal would undergo the sentence of the law, and in the latter case would be hanged. But if any Englishman was robbed, or pretended to be robbed, by an Irishman, he might, as we have seen, without the interference of an officer, seize on the property of any innocent Irishman of the same sept: and, as above stated, the murder of an Irishman was not punished with death; it was redeemed by a fine.

"In all the Parliament-rolls which are extant from the fortieth year of Edward the Third, when the statutes of Kilkenny were enacted, till the reign of king Henry the Eighth, we find the degenerate and disobedient English called rebels, but *the Irish which were not in the king's peace, are called enemies.*"—Davies, 85.

"All these statutes speak of *English rebels, and Irish enemies,* as if the Irish had

* "*No* manner of man, that will be taken for an Englishman, shall have *no* beard" [these two negatives are in the statute] "above his mouth; that is to say, shall have no hair upon his upper lip; so that the said upper lip shall be once at least shaven every fortnight; or of equal growth with the nether lip. And if any man be found among the English contrary hereunto, then it shall be lawful to every man to take them and their goods as Irish enemies, and to ransom them as such."—Statutes, 5.

† "Five persons of the best of every stirpe or nation of Irishry, and in the countries that be not yet shire grounds, and till they be shire grounds, shall be bound to bring in, to be justified by law, all idle persons of their surname which shall be charged with any offence; *or else satisfy, of their own proper goods, the hurts by them committed to the parties grieved;* and also yield to the queen's majesty, her heirs and successors, *such fines,* as by the lord deputy, governor or governors and council of this realm, *shall be assessed for their offences.*"—*Statutes,* 229.

‡ "Proclamation went foorth, that no méere Irish borne should be made major, bailiffe, porter, officer, or minister in anie towne or place within the English dominions: nor that *ani archbishop, abbat, prior, or anie other, being of the king's allegiance, upon forfeiture of all that he might forfeit,* should advance anie that was méere Irish borne to the roome of a canon, or to have anie other ecclesiastical benefice that laie among the English subjects."—Hollinshed, VI. 257.

never been in the condition of subjects, but always out of the protection of the law, and were *indeed in worse case than aliens of any foreign realm that was in amity with the crown of England.* For by divers heavy penal laws, the English were forbidden to marry, to foster, to make gossips with the Irish, or to have any trade or commerce in their markets or fairs: nay, there was a law made, no longer since than the twenty-eighth year of Henry the Eighth, that the English should not marry with any person of Irish blood, though he had gotten a charter of denization, unless he had done both homage and fealty to the king in the Chancery, and were also bound by recognizance with sureties, to continue a loyal subject. Whereby it is manifest that such as had the government of Ireland, under the crown of England, *did intend to make a perpetual separation and enmity between the English and the Irish, pretending, no doubt, that the English should in the end root out the Irish;* which the English not being able to do, caused a perpetual war* between the nations, which continued four hundred and odd years."—DAVIES, 86.

The Irish code of laws was intended to lay the aboriginals prostrate at the feet of the English of the pale—and, I repeat, to expose them to the fierce operation of the worst passions of human nature, in the gratification of which they afforded uncontrolled sway to the invaders and their descendants. The latter, however, in their turn, drank to the dregs the bitter cup of proscription and desolation. Their descent afforded them no security against the ruthless violence of the Irish administrations and their hungry satellites. In fact, the Courcies, the Baltinglasses, the Fitzgeralds, the Butlers, &c. possessing more wealth, better cultivated lands, and more elegant habitations, than the Irish, afforded stronger temptation to rapine and violence, and therefore were more frequently their victims on a large scale. Though they were not subject to the operation of those wicked laws, they were the victims of the needy dependents on the government. There was this great difference between the fate of the two descriptions of people. The aboriginals laboured under a double hardship—they suffered from the rigorous execution of wicked laws, and the violation of human and divine law. The descendants of the English invaders suffered under the latter grievance only, as will fully appear in the succeeding chapter. Most of the laws for the government of the pale were as unexceptionable as could reasonably be expected from the barbarous era in which they were enacted.

But every feature of the code, as it regarded the Irish race, bore the strongest and most indelible marks of the most consummate weakness of head, and the most dire malignity of heart.

Such a system could not fail to produce deleterious consequences on society. Lawless tyranny, oppression, and spoliation, on the one hand, and on the other the most affecting scenes of distress and misery,

* "In a word, if the English would neither in peace govern them by the law, nor could in war root them out by the sword, must they not needs be pricks in their eyes, and thorns in their sides, till the world's end, and so the conquest never be brought to perfection."—DAVIES, 91.

"The Irish had always been considered not as subjects, but as aliens, and even as enemies, out of the protection of the law: in consequence whereof, all marriages and alliances, and even commerce with them were prohibited, and *they might be oppressed, spoiled, and killed by the English at pleasure,* not being allowed to bring any action, NOR ANY INQUISITION LYING FOR THE MURDER OF AN IRISHMAN!! This made it impracticable for them to exercise any commerce, or settle in any towns, but forced them to stand on their defence, to fly to the mountains, and there live in a barbarous manner."—CARTE, I. 13.

were the necessary consequence. Any man of strong mind, who studied this code attentively, might, without any knowledge of the actual history of Ireland, form a tolerably accurate idea of the course of heart-rending events which that blood-stained history presents to view, to harrow up the feelings.*

I presume that the annexed statements, fully justify the strong picture I have drawn of the deplorable state of Ireland, and its grievous sufferings.† It will scarcely be denied, that the government of the

* That a bad government corrupts a nation is a truth attested by the whole course of history. The following picture displays in vivid colours the awful effects of the atrocious system pursued in Ireland.

"This was then the present state of all Ireland, altogether *devoured with robberies, murders, riots, treasons, civill and intestine warres*, and few or none assured and faithfull to hir highnesse out of the English pale, and out of cities and townes: and yet the one being gentlemen and living by their lands, by continuall spoiles and robberies were decaied; the other by the losse of their traffike, being merchants, impoverished and brought to such extremities, as not able to relieue and mainteine themselves."—Hollinshed, VI. 332.

† "The oppression exercised with impunity in every particular district; the depredations everywhere committed among the inferior orders of the people, not by open enemies alone, but those who called themselves friends and protectors, and who justified their outrages by the plea of lawful authority; *their avarice and cruelty, their plundering and massacres were still more ruinous than the defeat of an army, or the loss of a city!!!* The wretched sufferers had neither power to repel, nor law to restrain or vindicate their injuries. In times of general commotion, laws the most wisely framed, and most equitably administered, are but of little moment. But now *the very source of public justice was corrupted and poisoned.*"—Leland, I. 328.

"At a distance from the supreme seat of power, and with the advantage of being able to make such representations of the state of Ireland as they pleased, the English vicegerents acted with the less reserve. They were generally tempted to undertake the conduct of a disordered state, for the sake of private emolument, and *their object was pursued without delicacy or integrity, sometimes with inhuman violence.*"—Leland, II. 15.

"A set of needy and rapacious adventurers passing over from Britain, in a constant succession, made no scruple of enriching themselves by the most unjustifiable methods. *There was not a native who could be secure from their rapacity.*"—Crawford, I. 177.

The annexed description of one of these harpies, will serve, *mutatis mutandis*, for a large portion of the rulers of Ireland for above four centuries.

"Furnival departed with the execration of all those, clergy and laity alike, whose *lands he had ravaged, whose castles he had seized, whose fortunes had been impaired by his extortion* and exactions, or who had shared in the distress arising from the debts he left undischarged."—Leland, II. 12.

"By the new adventurers, employed in the service of the crown, both were regarded indiscriminately as one people equally disaffected, and dangerous to the English interest. These men, *who had raised large fortunes in Ireland, and frequently upon the ruin of the old natives*, affected to be considered as the only loyal subjects of the realm; and artfully contrived that even the most respectable of the old English families should be regarded by the crown with suspicion, and excluded from every office of trust and honour."—Leland, III. 101.

"The true cause which for a long time fatally opposed the gradual coalition of the Irish and English race, under one form of government, was that the great English settlers found it more for their immediate interest, that a free course should be left to their oppressions; that *many of those whose lands they coveted should be considered as aliens;* that they should be furnished for their petty wars by arbitrary exactions: and *in their rapines and massacres be freed from the terrors of a rigidly impartial and severe tribunal.*"—Leland, I. 267.

Turks, however oppressive and despotic, was beneficent and patriarchal towards the Greeks, compared with that of Ireland under the English deputies for three or four hundred years. A Turk was not allowed by law to plunder a Greek—nor to murder him on paying a fine. The Ottoman policy never excited hostility between different Greek chieftains for the purpose of thinning the population, and despoiling the subject race of the fair inheritance of their fathers, as was almost uniformly the case from Henry II. to Elizabeth, inclusive. It was not high treason for a Turkish woman to nurse a Greek child—nor for a Greek woman to nurse a Turkish child. The Greeks were not liable to punishment for the crimes of their namesakes. They suffered neither pains nor penalties in Turkey for their religion—nor were their priests banished from their native country for worshipping the Living God according to the dictates of their conscience. In one word, it would be in vain to search in the Moslem code, enacted for the government of the Greeks, any parallel with the odious features of the legislation of Ireland, for so many centuries of heart-rending misery as the conquest entailed upon that island.*

There can be no doubt that the cause of humanity would have gained immensely, had Henry II. exterminated the whole nation, men, women and children; provided he had peopled the island with an English colony, and imparted to them the benefit of English laws. The population, at the time of the invasion, was probably not more than 7 or 800,000, if so many. If extirpated, their sufferings would have been soon terminated. The English colonists and their descendants would have enjoyed a high degree of happiness and prosperity during the six hundred and sixty years which have since elapsed. Whereas, for the five hundred years between the descent of the English and the final subjugation of the country under William III. the average waste of human life could not have been less than 10,000 per annum—amounting on the whole to 5,000,000.† But the loss of life can only be regarded as a secondary consideration. The havoc that war makes of human beings bears no comparison with the havoc it makes of hu-

* In a pathetic address framed by a convention of "the prelates, earls, barons and Commons of the land," held at Kilkenny, and presented to Edward III. there is a long enumeration of the multiplied and vexatious grievances suffered by the inhabitants of the pale from the tyranny and injustice of their governors, the details of which would be too long to insert. Leland has condensed it as follows:—

"Chiefly, and with particular warmth and earnestness, they represent to the king, that his English subjects of Ireland had been traduced and misrepresented to the throne, by those who had been sent from England to govern them; men who came into the kingdom without knowledge of its state, circumstances, or interest; *whose sole object was to repair their shattered fortunes; too poor to support their state, much less to indulge their passions, until they had filled their coffers by extortion,* to the great detriment and affliction of the people; that, notwithstanding such misrepresentations, the English subjects of Ireland had ever adhered in loyalty and allegiance to the crown of England, had maintained the land for the king and his progenitors, served frequently both against the Irish and their foreign enemies, and mostly at their own charges."—Leland, I. 358.

† Sir William Petty calculates the destruction that took place in Ireland between 1641 and 1652, by war, famine, pestilence, and banishment, at above 600,000, of whom the banished were not more than 40,000. This goes far towards proving my statement to be within bounds.—Petty, 18.

man happiness, particularly when it brings in its train the plague and famine; as it so frequently did in Ireland. But even independent of plague and famine, the sufferings of the survivors ordinarily far outweigh those of the wretches who fall a sacrifice to the horrors of war. I forbear for the present to touch on the misery and sufferings of the Irish peasantry during the whole of the last and the present century.

Subject to every species of oppression and outrage, that rampant injustice and unbridled licentiousness could inflict, the Irish presented repeated supplications to the crown of England, to be admitted to the benefit of the English laws, proffering due obedience to their monarch. To such a reasonable request, it would be difficult to conceive an objection. It promised an abundant harvest of solid advantages to the rulers and their subjects. The former would not only be spared the expense of numerous armies—but might derive very considerable revenue from the island, instead of its proving a heavy burden.

The latter would be devested of the odious and ruinous character of enemies, in which alone they were regarded by the laws of the land—and by the people of the pale. Their lives—the chastity of their wives and daughters—their fortunes would no longer be the sport of lawless and unprincipled adventurers.*

The wars in Ireland cost Queen Elizabeth 3,400,000*l.* in ten years, independent of the enormous sacrifice of the lives of her English and Irish subjects. Whereas had Ireland received the benefit of the English laws, and been allowed to avail herself of her natural advantages, she might at that time have yielded a revenue of probably from 50 to 150,000 pounds annually to the crown of England.

* "But perhaps the Irish in former times did wilfully refuse to be subject to the laws of England, and would not be partakers of the benefit thereof, though the crown of England did desire it; and therefore they were *reputed aliens, outlaws and enemies?* Assuredly the contrary doth appear, as well by the charters of denization purchased by the Irish in all ages, as by a petition preferred by them to the king, anno 2, Edward the Third, desiring that an act might pass in Ireland, whereby all the Irish might be enabled to use and enjoy the laws of England without purchasing of particular denizations."—Davies, 78.

"The great lords of Ireland had informed the king that the Irish might not be naturalized, without damage and prejudice either to themselves or to the crown.

"But I am well assured that the Irish desired to be admitted to the benefit of the law, not only in this petition exhibited to king Edward the Third, but by all their submissions made to king Richard the Second, and to the Lord Thomas of Lancaster, before the wars of the two houses; and afterwards to the Lord Leonard Gray, and Sir Anthony St. Leger, when king Henry the Eighth began to reform this kingdom."—*Idem*, 88.

"For the space of two hundred years, at least, after the first arrival of Henry the Second in Ireland, the Irish would gladly have embraced the laws of England, and did earnestly desire the benefit and protection thereof; which being denied them, did of necessity cause *a continual bordering war between the English and Irish.*"—*Idem*, 101.

"This then I note as a great defect in the civil policy of this kingdom: in that for the space of three hundred and fifty years at least, after the conquest first attempted, the English laws were not communicated to the Irish, nor the benefit and protection thereof allowed unto them, though they earnestly desired and sought the same; for *as long as they were out of the protection of the law, so as every Englishman might oppress, spoil and kill them without control, how was it possible, that they should be other than outlaws and enemies to the crown of England?* If the king would not admit them to the condition of subjects, how could they learn

But such an arrangement, how beneficent soever in its operation, would mar the views of the swarms of English adventurers who were disgorged on the island from time to time. It would debar them of the rich harvest which they successively reaped of the property of the oppressed natives, to whom, moreover, it would afford an opening for some portion of the posts of honour and profit in the gift of the government, from which they were unjustly excluded by law.

On one occasion the Irish offered eight thousand marks to the king to be admitted to the benefit of the English laws.* But the influence of those who profited by the depredations they perpetrated on the Irish was sufficiently powerful to defeat the application.

Warner, who, as I have already stated, is the least liable to exception of all the English writers on Irish history, has fallen into an extraordinary error connected with this branch of my subject, which is contained in the following lines—

"The distinction of nations was so carefully kept up on the side of the Irish! that *no laws nor allurements* could for many ages persuade them to part with their language, their habits, or the most barbarous of their customs!!!"—WARNER, 9.

This is a most enormous error—and is put down for ever, by the preceding quotations from Davies and Leland, on this subject, particularly the former—unexceptionable authorities. It is impossible to find in the history of Irish legislation previous to the reign of James I. a single serious effort to induce the Irish to harmonize or coalesce with the English or their descendants, or to "*allure*" them to habits of civilization. Its whole tendency was to brutalize and reduce them to a savage state, to enslave and plunder them, and deluge the land with blood. "To part with their language!" The idea of the great mass of a nation, more than nineteen-twentieths, "*parting with their language*," and adopting that of a handful of invaders, who carried on a Vandalic war against them almost unceasingly, is so truly puerile as to be unworthy of Warner.

to acknowledge and obey him as their sovereign? When they might not converse or commerce with any civil man, nor *enter into any town or city without peril of their lives;* whither should they fly, but into the woods and mountains, and there live in a wild and barbarous manner?"—*Idem*, 90.

"This unhappy people, wasted by their own follies and the oppression of their neighbours, smarting with the bad success of their late precipitate insurrections, and recalled to pacific measures by the union of the English lords, embraced the present season of general tranquillity to address themselves once more to the throne of England, and petitioned that all those odious distinctions which had so long deluged the land with blood, should at length be abolished; that the Irish inhabitants should be admitted to the state and privileges of English subjects, without obliging individuals to sue for special charters. The petition, as usual, was remitted to the chief governor Darcey who had succeeded to the prior. He was directed to refer it to the Irish parliament; and as usual, it was clandestinely defeated or openly rejected."—LELAND, I. 341.

* "An application was made to Ufford, the chief governor, and eight thousand marks offered to the king, provided he would grant the free enjoyment of the laws of England to the whole body of the Irish inhabitants. A petition, wrung from a people *tortured by the painful feelings of oppression*, in itself so just and reasonable, and in its consequences so fair and promising, could not but be favourably received by a prince possessed with exalted ideas of policy and government, and, where ambition did not interfere, a friend to justice." *** "His wisdom and rectitude were fatally counteracted."—LELAND, I. 285. 288.

The power of the deputies was incomparably more despotic than that of the most arbitrary of the English monarchs. They could fine and imprison at their pleasure—and were not only invested with authority to execute martial law, but to grant that power to deputies under them, to marshals, and sheriffs!* They were moreover authorized to grant away the lands of English rebels and *Irish enemies;* and, as the Irish were all, in the eye of the law, regarded as enemies, they were of course, defenceless victims of their Algerine depredators.

This single feature of the government—the exercise of martial law, by the subaltern agents of the deputies†—would be sufficient to account satisfactorily for the almost incessant warfare that prevailed in Ireland. In the best state of society, there is scarcely a man to whom a power so tremendous can be safely entrusted. It inevitably produces corruption of morals and manners—as is fully proved by the very limited number of persons possessing uncontrolled power, whose names have not been consigned by the voice of history to the execration of posterity. But in such a state of society as existed in Ireland, and under the dominion of the needy and unprincipled adventurers who flocked to that country in quest of wealth and power; its inevi-

* "He had power to make a deputy as often as he pleased, and he and his deputy had power, (among other minuter things) to grant to proper persons in the king's obedience, *all lands and tenements taken and seized from Irish enemies or English rebels, and all other lands and tenements of which the Irish enemies were anciently or then seized!* and all other lands, tenements, rents, services, knights' fees, and advowsons of churches, with all other ecclesiastical benefices forfeited, or to be forfeited to the king, or his progenitors, to hold to such grantees or their assigns in fee-simple, fee-tail for life or years, excepting such lands as have been annexed to the church."—WARE, II. 93.

"The lord justice from Waterford, upon notice of the trouble dailie increasing, sent a commission of the eleventh of Februarie, to Sir Warham Sentleger to be provost marshall, *authorizing him to proceed according to the course of marshall law against all offenders*, as the nature of his or their offenses did merit and deserue; so that the partie offender be not able to dispend fortie shillings by the yeare in land, or annuitie, or be not woorth ten pounds in goods: also that upon good cawses he maie parlée and talke with anie rebell, and grant him a protection for ten daies: that he shall banish all idlers and sturdie beggers: that he shall apprehend aiders of outlawes and theeves, *and execute all idle persons taken by night!* that he *shall give in the name and names of such as shall refuse to aid and assist him:* that in dooing of his service, *he shall take horse-meat and mans-meat where he list, in anie mans house* for one night: that every gentleman and noble man doo deliver him a book of all the names of their seruants and followers; that he shall put in execution all statutes against merchants and other penall lawes, and the same to see to be read and published in everie church, by the parson and curat of the same: and that he doo everie moneth certifie the lord justice how manie persons, and of their offenses and qualities, that he shall execute and put to death! with sundrie other articles, which generallie are comprised in every commission for the marshall law."—HOLLINSHED, VI. 429.

† "The Lord Dillon affirmed *that martial law had been practised, and men hanged by it in times of peace!*"—NALSON, II. 60.

"*Martial law is so frequent and ordinary in Ireland that it is not to be denied*, and so little offensive there, that the common law takes no exception at it!"—RUSHWORTH, VIII. 198.

"*I also granted unto sundrie, power to execute the martiall lawe*, and lefte authoritie with Sir Edmund Butler, and Patrick Shurlock, to levie and entertayne men to prosequute the outelawes, and suche as no man woulde answere for. I have herde, that, since that tyme som have been executed."—SYDNEY, I. 21.

table effect must have been to tear up honour, honesty, and morals by the roots, on the part of the rulers, and peace, happiness, and safety on the part of the subjects. The exercise of such a power, by such men, would be sufficient, in less than a quarter of a century, to demoralize the most upright community on earth. How baleful then must have been its operation for above four centuries among the natives of Ireland!

To the abuse of this power, there were incentives in Ireland, somewhat peculiar to that country. The sheriffs and marshals in many cases possessed themselves of the property of the wretches they immolated.* They were therefore goaded on by the cravings of avarice to the abuse of martial law. This powerful impulse required nothing to aid it in its ferocious operations on the Irish. But other passions exerted their influence. A sheriff or marshal, who bore malice towards an Irishman, had a very simple means of gratifying that hateful passion under cover of the execution of the law. This state of things gave rise to a constant series of violence and rapine on the part of the sheriffs and marshals, against which the defenceless part of the population had no protection. Those who were in sufficient force resisted the outrage. The government, in almost every case, espoused the cause of the oppressors, and denounced the sufferers as traitors. In the researches into Irish history, I have met with but one case—there may, however, be a few others—of a governor or deputy attempting to repress or restrain the violence or depredation of the inferior agents of the government. Sir John Perrot tried in vain to arrest the rapacious career of Sir Richard Bingham, marshal in Connaught,† whose violence and outrage provoked a civil war in that province, which caused the death of thousands, and the confiscation of the estates of some of its first families.

The case of Richard Bourke, a distinguished Irishman, of great wealth and influence, demands particular attention. He had repaired to the camp of the deputy as a matter of courtesy and politeness, was

* "In the northern province, which had but just now professed to accept the English polity, the execution of the laws was rendered detestable and intolerable by the queen's officers. *Sheriffs purchased their places; acted, as in Connaught, with insolence and oppression; spoiled the old inhabitants*, and obliged them to recur to their native chieftains for protection."—LELAND, II. 371.

"A creature of the lord-deputy who had ventured to exercise the office of sheriff in Fermanagh, proceeded *in the usual way of spoiling and oppressing the wretched inhabitants, with his rapacious train of followers.*"—LELAND, II. 400.

"The Earl of *Ormond's* officers made a complaint against *Lovell*, sheriff of the county of *Kilkenny*, that he had executed martial law on several felons that had lands and goods, which would be forfeited to the earl by their attainders, and that *the sheriff took those lands and goods to his own use.*"—COX, 395.

"The people generally seemed to be well pleased and satisfied, but in nothing more, than with the corrections of the sheriffes' corruptions, and limiting them to a small number of followers, who had formerly used with multitudes to travaile and cesse, under colour of service, to the *grievous oppression of the country.*"—PERROT'S *Government of Ireland*, 15.

† "Perrot expressed a violent disapprobation of Bingham's conduct; he recounted various instances in which *the old inhabitants had been provoked, and forced into insurrections, by injustice, rigour, and oppression.* Bingham, on the other hand, urged the necessity of a strict and severe government in a disordered state, the restlessness and insincerity of the old natives, and the danger to be apprehended from the governor's present indulgence."—LELAND, II. 369.

unceremoniously seized, tried by martial law, hanged as a felon, and his property, in the usual way, shared among his murderers.*

This circumstance sheds further light on the deplorable situation of the estated Irishmen; and, independent of the variety of facts heretofore stated, would establish the correctness of the picture I have drawn of the tyranny of the government, and the extreme oppression of the people. This nobleman came to the camp of the British, probably under a safe conduct. He was seized; and, because "information was there given that he was confederate with the rebel," and, "under colour of his visitation to the governor, *intended to betray him* and his company!!!" he was tried by a court martial, and hung like a highwayman or a sheep-stealer!!!!

"Quis talia fando
"Myrmidonum, Dolopúmve, aut duri miles Ulyssei
"Temperet à lacrymis?"

Who, without indignation and horror at the perpetrators, and deep sympathy for the sufferers, can reflect on such horrible, such atrocious scenes!

Such "*information*" of "*intention*" to turn traitor, might be easily had against every estated man in the world. A dollar for each would procure it dressed up in the most plausible form, and sworn to with the utmost possible solemnity. The recurrence to martial law in the case of Bourke, is sufficient to satisfy every man of reflexion, that the accusation must have been totally groundless. Had there been any adequate proof of guilt, the depredators, who, under the cloak of law, murdered the unfortunate man, would have trusted the case to a trial by jury, which, however, under the control of such a government, would have been but a slender protection.

It must be acknowledged that some of the Irish governors suffered condign punishment for their crimes, having paid the forfeit of their lives, by the hands of the executioner. Tiptoft† under Edward IV., Leonard Gray, and probably some others, underwent this fate. But the example was lost upon their successors.

The grand resource of the English government in Ireland has been to foment discord among the natives. This has been steadily pursued in every period of the Irish history, with a fatal success. This system is a proof of extreme profligacy and wickedness on the one hand, and of imbecility on the other. One-third of those who have fallen in warfare in Ireland from the invasion to the close of the seventeenth century, probably millions of souls, were sent to the other world by this execrable Machiavelian policy. It produced, in addition to the loss of life, masses of misery beyond the powers of calculation.‡

* "Richard Bourke, called the *Vsule* of *Ireland*, was at Castellne Kelly, hanged by marshall law. *Information being there giuen, that hee was confederate with the rebell*, and vnder pretext of dutiful obedience and visitation of the governour, intended to betray him and his company."—PERROT, 95.

† "Tiptoft, recalled to England and condemned of partiality and injustice, paid for his misconduct *the forfeit of his life by a public execution*."—CRAWFORD, I. 237.

‡ The deputy replied, "That he thought it expedient to suffer one knave to destroy another, to save expense to the king, and to purchase the peace of the land."—CRAWFORD, I. 169.

"The lord justice did, (underhand,) encourage the Irish to do all prejudice they could to Fitz-Girald and his partizans; hence arose mutual complaints and reciprocal impeachments."—COX, 78.

That this is not an exaggerated picture of the desolation caused by this policy, is strongly corroborated by a declaration extracted from a letter of Sir Henry Sydney to Queen Elizabeth, that Munster and Connaught were so far depopulated, by the sanguinary wars about the close of the sixteenth century, that *there was not one-twentieth part of the people left alive.**

We find this policy pursued in the seventeenth and eighteenth centuries, and it is not improbable that the connivance at the horrible excesses of the Orangemen of late years, particularly in the county of Armagh, was a branch of the system.

Lord Orrery, in a letter to the Duke of Ormonde, writes—

"Dec. 14, 1666. I humbly offer to your grace's consideration, whether this may not be a fit season to make that schism you are sowing amongst the popish clergy publicly to break out, so as *to set them at such open difference, as we may reap some practical advantage thereby!!*"—ORRERY, II. 101.

The union of parties created by the swindling patent for a copper coinage, bestowed on the schemer, Wood, in the year 1723, which gave occasion to the splendid display of Dean Swift's talents and patriotism, in the "Drapier's Letters," was regarded as a most serious evil, and called forth this lamentation from primate Boulter, the prime minister of Ireland:—

"The people of every religion, country, and party here, are alike set against Wood's half-pence: and their agreement in this has had a *very unhappy influence on the state of the nation, by bringing on intimacies between Papists and Jacobites, and the whigs, who before had no correspondence with them!!!*"—BOULTER, 7.

This policy was avowed by the ministers of Queen Elizabeth, who, according to Leland, "appear to have conceived an odious jealousy, which reconciled them to the distractions and miseries of Ireland. Should we exert ourselves, said they, in reducing this country to order and civility, it must soon acquire power, consequence, and riches. The inhabitants will be thus alienated from England: they will cast themselves into the arms of some foreign power, or perhaps erect themselves into an independent and separate state. Let us rather connive at their disorders! for a weak and disordered people, never can attempt to detach themselves from the crown of England!!"—LELAND, II. 355.

Lord Bacon reprobated the vile policy pursued towards Ireland; and, (in a letter to one of the ministers of Queen Elizabeth,) pointed out the course which ought to have been adopted:

"I am perswaded if a penny in the pound which hath been spent *in pœna*, a chastisement of rebels, without other fruit or emolument of this state, had been spent *in præmio*, that is, rewarding, things had never grown to this extremity."—CABALA, 50.

* "If that cowardlie policy be still allowed of, *to kepe them in contynuall dissention* for feare leste, thoroughe their quiet, might follow I wot not what, then myne advice unto your majestie bothe is, and shalbe, to withdrawe me, and all charge here. In myne opinion, as little dishonorable were it, totallie to abandon it, as wonte obedience to some to govern it. And so far hath that pollicie, (or rather lacke of pollicie,) in keping dissention emonges them prevailed, as nowe, albeit, all that are alive, woulde becom honest, and live in quiet, yet *are there not lefte alive in thoise two provincies, the XXth person necessarie to inhabite the same!!!*"—SYDNEY, I. 29.

Whenever the Irish subjects, harassed by the oppression and tyranny of their governors, appealed for redress to the throne, they were generally treated with contumely, their applications rejected—and not unfrequently their agents thrown into prison, and afterwards sent home, subject to the discretion and mercy of those against whose injustice they had entered their complaints, who, in order to punish them for their presumption in seeking redress, and to hold them out *in terrorem* to others, to induce a quiet submission to their injustice, fined and imprisoned them.

To illustrate this feature of the government of Ireland, I shall give a case which occurred under Henry Sydney, who ruled the country, as deputy at several periods, during the reign of Queen Elizabeth.

The uniform custom in providing for the support of the army, by what was termed cess, previous to this deputy's administration, was to fix the rate by act of parliament; and when any material alteration of the prices of the necessaries of life, rendered a change in the contribution necessary, it was always made by the same authority. Sydney resolved on an increase of the cess, but would not condescend to accomplish his purpose by the fair and regular means. He ordained the increase on his own mere motion, without any consultation with parliament. The lords of the pale, aggrieved by the oppression of the new rates, and indignant at the violation of their privileges, remonstrated on the procedure with the deputy. It was in vain. He was inexorable. They then despatched agents to the court of London, to seek redress. But the paramount influence of the deputy defeated their application. Redress was not only arrogantly denied, but the agents were confined in the Fleet prison for months,* for no other crime but laying their grievances and those of their constituents at the foot of the throne.

But this scandalous abuse of power did not satisfy their oppressors. The most elevated of their constituents, and others of the gentry of the pale, who favoured the cause, were arrested,† imprisoned in the castle of Dublin, heavily fined, and after a tedious confinement,‡ forced to apologize and beg pardon for what was styled their offence!

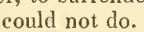
* "When hir hignesse had read and thoroughlie considered their opinions and resolutions, and finding her selfe undutifullie to be handled by her subiects, commanded by the advise of her councill the said agents which followed their sute to be committed to the Fleet."—Hooker, in Hollinshed, VI. 392.

† "And nowe [June 1577] having received at your honnors handes, (to your owne just prayses,) the dewe rewarde of their deserts, we thought it expedient, beinge led by so good and grave a president, accordinge to hir majesties direction, (whereunto your honourable lettere referred vs,) to sende not oneley for those lords and gentlemen that subscribed the letters sent unto hir majestie and you, but also in discreacion for some others, whose disguised and cunninge manner of dealinge, we had heard of before by report, beinge men speciallye noted unto us, to be chiefe counsellors, ringleaders, and procurers of the late embassage sent to your lordships. And when all theise, (thus beinge sent for by oure letters,) came before us, havinge first occasion to deal withe theim, touchinge their claime of fredome from cesse; found generallye in theim all, by the manner of theyer answers to oure demandes, an arrogant and wilfull kinde of repininge at hir majesties prerogatyve for cesse, affirminge boldly, in playne speache, without any stickinge, that no cesse could be imposed but by parliament, or graund councell, and whatsoever was otherwise set downe by us, was against law."—Sydney, I. 196.

‡ "June, 1577. In the entervall betwixt the committment of theise wilfull gal-

This is a plain, simple case, not liable to mistake or misapprehension. A governor by his "sic volo, sic jubeo," imposes taxes against custom and usage for time immemorial. The nobility and gentry peaceably remonstrate, and appeal to the fountain head for redress—a right inherent and indefeasible. Redress is not only refused, but the endeavour to procure it is punished as if it were highly criminal.

Another case under this deputy, which evinces the atrocious use of the despotic power of the deputies and the abject state of the gentry, requires to be stated. He gave orders to Baron Dunboyn and Piers Butler, his brother, to surrender some of their dependants, which they did not, perhaps could not do. For this offence he imposed "*heavy fines*" upon them, and committed them and their wives! to prison, without trial, on his own mere motion!!!!*



launts, and the writinge of theise our lettres to your lordships, by the proceadinge and dealinge, that somme of us had with theim, we had good cawse to note, that they were bent in the ende to a certaine kynde of more arrogant wilfulness, and stubborne stoutnes, than they were before, refuzinge to yeelde to any acknowledgment of their offence, or to do as they ought, (and we looked for,) by way of submission, confesse their error, in impugninge her majesties prerogative."—*Idem*, 197.

Walsingham writes to Sydney, August 9, 1577, that "Scurlocke, Nettervill, and Burnel, since their submission made here, by reason of the sickenes of the plague, which is in the Fleete, where they were prisoners, are enlarged vppon good bands to remayne ether in the citye, or within ten miles thereof, untill further order be taken with them; and that it is meante, they shall not come into Irelande to make their submission in like manner there, untill my lords here may first heare somewhat more herof from your lordship."—*Idem*, 202, 3.

"I sent for Barnabie Scurlocke, and laied before hym your majesties grave sensure vpon hym and his companions, and declared that your majestie had nowe, upon the disclosinge of the matter before you by your highnes chauncellor and their vntrothes, disguysings, and slaunderous reportes, by good matter and dewe proffe by hym overthrowen, converted your princely compassion into a trewe judgement, and therefore *had sett downe order for his punishment.*" February 13th, 1578.—*Idem*, 235.

"He was answered at full to all that he could say, and sharply reprehended for his fault, follye and presumpsion, and so in fyne committed to the castell of Dublin. —*Ibid.*

Feb. 13, 1588. "When I sawe they were so untractable, that neither faire meanes nor perswasions, nor sharpe speache, nor threats, could wynne theim to do that becamme theim: And that Missett, Flemminge, and Barnaby Scurlock, one of their principall agents, had subscribed the submission, (the doubble whereof I hearewith send to your majestie,) I by the advise of your majesties counsell here, thought good to *commit theim till your majestyies pleasure were further knowen;* and within a day, or day after, called theim before us agayne, and for examples sake, and the greater terror to others hereafter, *imposed fynes upon eche of theim.*"—Sydney, I. 237.

April, 1578. "The onelye pointe of those twoe letters, conteine an advise and direccion from your Lordships, howe to procede, as well with the agentes of the pale now sent thence, (who arryved not here before the xxviith of this present,) as with *those noblemen and gentlemen that remayne prisoners here for that cawse.*"—*Idem*, 253.

* "I soughte to have com by the actuall malefactors, supported and mayneteyned by the forenamed gentlemen; but I coulde in effecte com by none, so obstinate and disobediente I found the heddes of them. Whereupon I assessed heavy fynes uppon the Baron of Dunboyn, and Piers Butler, his brother, for the contempte. And committed them both to warde, *and their wifes*, with a bastarde sonne of Dunboynes. All which I presentlie doe detayne in the castell of Dublyn, and will doe untill they shall procure the bringinge of suche their lewde followers, destroyers of that countrie, unlesse your majestie commande me to the contrarie; which if you doe at anny mannes sewte, *actum est de hac republica.*"—*Idem*, 21.

I close this account of the administration of the government of Ireland with extracts from an affecting address, drawn up by an eye-witness, Captain Thomas Lee, and presented to Queen Elizabeth, anno 1594. The original MS. is lodged in the Library of Trinity College, Dublin.*

"TO THE QUEEN'S MOST EXCELLENT MAJESTY:

"Understanding, most gracious sovereign, the proud and insolent terms the lords of the north of Ireland do now stand upon, it maketh me bold to set down my knowledge of those parts to your majesty, because I have debated often with the chiefs of them, what was fit they should yield unto your majesty; and that it was unmeet for them in any sort to condition with your highness; in the end, (after long debating,) they seemed somewhat to like and allow of that which I demanded, as hereafter shall appear. And because your majesty may the better judge the causes of their discontentments, I have here set down *the unconscionable courses, which have been held towards them,* which being remedied, and that they may see your majesty doth no way allow of the same, there is no doubt, (notwithstanding all their proud shows of disloyalty,) but that they may be brought to dutiful obedience, and to yield you that profit, which neither your majesty now hath, nor any of your progenitors ever had; so as they may likewise have that, which they demand, being nothing unfit for your majesty to grant. In which discourse, if any thing should seem unpleasing to your majesty, I humbly beseech you to pass it over to peruse the rest, whereof I doubt not, but something will content your highness, for that it tendeth to your highness's service and commodity.

"My meaning, whereby your highness's profit may arise, is by O'Donnel Maguire, Bryan Oge O'Rourke, and Bryan Oge M'Mahon.

"The demands I made for your majesty were these, that they should receive your majesty's forces into their countries, and your laws to go current, as they did in other places, and some part of their countries to be reserved for your majesty to dispose unto them, who should govern them; and they to charge themselves with that proportion, that was fit for them to bear.

"To those demands they all yielded; so that they might have such gentlemen chosen, as they knew would use no treachery, nor hard measures towards them, but to live upon that which your majesty would allow, and that which they would give of their free consents, and be no further charged, and they would be as dutiful as any other country in Ireland now is. And how this may be performed, I have made bold, with your majesty's favourable liking, here to set down upon my knowledge, both how your majesty's forces may be received with their consent, and they to yield great profit in discharge of that, which your majesty allows to the soldiers, and the soldiers to be well satisfied.

"The cause they have to stand upon those terms, and to seek for better assurance is, the harsh practices used against others by those who have been placed in authority to protect men for your majesty's service, which they have greatly abused and used in this sort.

"They have drawn unto them by protection three or four hundred of these country people, under colour to do your majesty service, and brought them to a place of meeting, where *your garrison soldiers were appointed to be, who have there most dishonourably put them all to the sword!!! and this hath been by the consent and practice of the lord deputy for the time being!!!* If this be a good course to draw these savage people to the state to do your majesty service, and not rather to enforce them to stand upon their guard, I humbly leave to your majesty.

"When some one who hath been a bad member, (pardoned by your majesty,) hath heard himself exclaimed upon to be a notable thief after his pardon, and hath simply come in without any bonds, or any other enforcement, to an open session to take his trial, by your majesty's laws, if any could accuse him, notwithstanding his coming in after this manner, and without any trial at the time, (because he was a bad man in times past,) *there hath been order given in that session for the execution of him,* and so he has lost his life, to the great dishonour of your majesty, and discredit of your laws."

* For the whole address, see Plowden, I. App. p. 26.

"There have also been divers others pardoned by your majesty, who have been held very dangerous men, and after their pardon have lived very dutifully, and done your majesty great service, and many of them have lost their lives therein; yet upon small suggestions to the lord deputy, that they should be spoilers of your majesty's subjects, notwithstanding their pardon, *there have been bonds demanded of them for their appearance at the next sessions.* They knowing themselves guiltless, have most willingly entered into bonds, and appeared, and there, (no matter being found to charge them,) they have been arraigned only for being in company with some of your majesty's servitors, at the killing of notorious known traitors, and *for that only have been condemned of treason, and lost their lives!!* And this dishonest practice hath been by the consent of your deputies!

"When there have been notable traitors in arms against your majesty, and sums of money offered for their heads, yet could by no means be compassed, they have in the end, (of their own accord,) made means for their pardon, offering to do great service, which they have accordingly performed, to the contentment of the state, and thereupon received pardon, and have put in sureties for their good behaviour, and to be answerable at all times, at assizes and sessions, when they should be called; *yet notwithstanding there have been secret commissions given for the murdering of these men!!!* They have often been set upon by the sheriff of shires to whom the commissions were directed, in sundry of which assaults, some of them have been killed, and others have hardly escaped. And after all this they have simply come, without pardon or protection, to an open place of justice, to submit themselves to your majesty's laws, where they have been put to their trial upon several indictments, of all which they have been acquitted and set at liberty. If this be a course allowable for poor men to be handled in this manner, and to be at no time in safety of their lives, I humbly leave to your majesty.

"When many notorious offenders have submitted themselves to your majesty's mercy, and have been accepted, and had their pardons, and have put in good assurances to be at all times answerable to your laws, the chiefest rebel, (whose followers they were,) has been countenanced and borne out by your state, *to rob and spoil, burn and kill these poor men, who did thus submit themselves.* When they have very pitifully complained against that arch rebel, and his complices, of these outrages, they have been sharply rebuked and reproved for their speeches, and left void of all remedy for their losses: so as when in the end they have made petition to have licence by their own means, and help of their friends, to recover their goods from the rebels, they have been rejected and utterly discomforted, yet nevertheless remained dutiful subjects, although they see that *such as continue notorious malefactors, are in far more safety than they, who depend upon your majesty's defence!!!*

"For it is well to be proved, that in one of your majesty's civil shires, there lived an Irishman, peaceably and quietly, as a good subject, many years together, whereby he grew into great wealth, which his landlord thirsting after, and desirous to remove him from his land, entered into practice with the sheriff of the shire, *to dispatch this simple man, and divide his goods between them.* They sent one of his own servants for him, and he coming with his servant, they presently took his man, who was their messenger, and hanged him, and keeping the master prisoner, *went immediately to his dwelling, and shared his substance,* (which was of great value,) between them, turning his wife and many children to begging; after they had kept him fast for a season with the sheriff, they carried him to the castle of Dublin, where he lay by the space of two or three terms, and having no matter whatever objected against him, whereupon to be tried by law, they by their credit and countenance, being both English gentlemen, and he who was the landlord, the chiefest man in the shire, informed the lord deputy so hardly of him, as that *without indictment or trial they executed him!!! to the great scandal of your majesty's state there,* and impeachment of your laws. For if this man had been such an offender as they urged, why was he not tried by ordinary course of law? whereby good example of justice might have been showed, and your highness benefited by his wealth which they shared? But *to cut him off by martial law,* who was a good householder, inhabiting a civil country always liable to law, and last imprisoned in Dublin, (where all the laws of that land have their head,) was in my conceit rather rigour than justice.

"When there have been means made to an aged gentleman, (never traitor against your majesty, neither he nor any of his ancestors, and dwelling in one of the re-

motest parts of your kingdom,) to come into your state, and that the hard courses used to others, made him demand security for his coming in, which hath been sent unto him by great oaths and protestations delivered by the messenger, whereof he hath accepted, and thereupon come in; yet, notwithstanding all these promised safeties, this aged gentleman hath been detained prisoner for six years, and so yet remaineth. And his imprisonment is the only colour to satisfy your majesty for a wonderful great charge, which your majesty and your subjects were then put unto; but *his detaining, contrary to promise, hath bred great fear in all or most of his sort, (in those parts,) of crediting what your state there shall promise.*

"When upon the death of a great lord of a country, there hath been another nominated, chosen, and created, he hath been entertained with fair speeches, taken down into his country, and *for the offences of other men, indictments have been framed against him, whereupon he hath been found guilty, and so lost his life;* which hath bred such terror in other great lords of the like measure, as maketh them stand upon those terms which they now do.

"A great part of that unquietness of O'Donnel's country, came by Sir William Fitz Williams his placing of one Willis there to be sheriff, who had with him *three hundred of the very rascals and scum of that kingdom, which did rob and spoil that people, ravish their wives and daughters, and made havoc of all,* which bred such a discontentment, as that the whole country was up in arms against them, so as if the Earl of Tyrone had not rescued and delivered him and them out of the country, they had been all put to the sword.

"They have seen pardons serve, (in their conceit,) rather for traps to catch others in, than for true and just remission and acceptance into the free benefit of subjects, which maketh him [Tyrone] fear the like practice towards himself.

"There is one prisoner in the castle of Dublin, an aged and impotent gentleman, of whom, (if it be your highness's good pleasure,) I desire your majesty shall take notice: his name is Sir Owen Mac Toole: one who was never a traitor against your majesty, nor ever in any traitorous action: but so good a subject and so faithful a servitor as, (for his deserts,) he had a pension from your majesty, whereof Sir John Perrot bereft him. This gentleman *was sent for by promise and assurance from the state, that he should not be abridged of his liberty;* contrary whereunto he was committed unto prison, where *he hath remained these eight years,* for whose enlargement all bail hath been refused, yet is the gentleman of so great years, as he is not able to go, and scarcely able to ride."

This is a most important document, as written by an English officer on the spot, zealous for the honour of his queen, and for the prosperity of his native country, and therefore beyond suspicion or cavil. The atrocious scenes he describes, particularly that of convening three or four hundred Irish under pretence of doing "her majesty service," and then butchering them in cold blood, (which last has few parallels in history,) makes the blood run cold with horror.

CHAPTER III.

Definition of terms. Wholesale confiscation. Acts of attainder. Cases of the Earls of Desmond; of Shane O'Neil; of Baron Nugent, &c., &c.

" Ever since the English first appeared upon our coasts, they entered our territories under a certain specious pretence of charity, and external hypocritical show of religion, endeavouring at the same time, by every artifice malice could suggest, *to extirpate us root and branch;* and, without any other right than that of the strongest, they have so far succeeded by base fraudulence and cunning, that *they have forced us to quit our fair and ample habitations and inheritances, and to take refuge, like wild beasts, in the mountains, the woods, and the morasses of the country;* nor even can the caverns and dens protect us against their avarice. They pursue us even into these frightful abodes; endeavouring to dispossess us of the wild uncultivated rocks, and arrogate to themselves the *property of every place* on which we can stamp the figure of our feet."—*Memorial of the Irish to Pope John XXII. in the reign of Edward II.*

To prevent confusion of terms, and to place the subject clearly before the reader, I shall throughout this chapter style the three different descriptions of the inhabitants of Ireland, as Irish—English—and Anglo-Hibernians. The first class embraces the descendants of Heber, Heremon, and Milesius—the second, the English by birth, in whom was generally vested the administration of the affairs of Ireland—and the third, the descendants of the English, whether of the original invaders, or of those who subsequently migrated from England to the western isle.

The preceding chapter details the cruel and destructive system of legislation adopted by the Anglo-Hibernians, to operate on the Irish, whom they regarded in nearly the same light as the Helots were viewed by the Spartans. In this system the clearest dictates of honour, justice, and humanity, were disregarded. The Irish, it has been proved, were held as perpetual enemies, devested of the rights of human nature. This course was directly opposite to the liberal and honourable maxim of the present day—enemies in war, in peace friends. But to the unfortunate Irish, there was scarcely any peace. It was an almost unvarying scene of predatory warfare and desolation.

Injustice frequently—it is to be regretted that it does not always—recoils on its perpetrators with double force. The injustice and impolicy of the invaders of Ireland and their immediate descendants, who framed the barbarous system of proscription against the Irish, was visited on their posterity to the tenth and twelfth generations. For centuries, between the invasion and the close of the reign of Elizabeth, there was as strong and as marked a line of distinction drawn between the English and the Anglo-Hibernians, as between the latter and the descendants of Heber, Heremon, and Milesius. The English regarded the Anglo-Hibernians with as much jealousy, and as strong a disposition to violate towards them the rights of person and pro-

perty, as the latter displayed towards the Irish.* And the rapine and depredation perpetrated on the Irish by the Anglo-Hibernians under the sanction of law, was retaliated on the latter by the English. From this view of the subject, it appears that there were two different species of oppression and misgovernment, existing in Ireland—one, on the part of the English, operating on the Anglo-Hibernians, and the Irish; and the other, of the Anglo-Hibernians operating on the Irish —the latter, therefore, groaning under a double yoke—the Anglo-Hibernians under a single one.

The most usual means of accomplishing the nefarious purpose of confiscating estates in Ireland, were—

1. By implicating the nobility and gentry in some fictitious plot—and citing them to appear before the deputies—if they appeared, seizing them, and trying them by martial law—or by a jury packed for the purpose, or acting under the dread of corporal or other punishment, if their verdict did not quadrate with the views of the government.

In trials, in which the government was concerned, if the verdict did not please the deputies or presidents, it was by no means uncommon to fine and imprison the jurors, under a pretence, easily framed and difficult to be refuted, that they had given verdicts against the evidence. By these means, the advantages of jury trial, in crown cases, were almost wholly destroyed.

2. If they did not appear, as was often the case, in consequence of the perfidy so frequently experienced by those who ventured to comply with the requisition,† regarding their non-appearance as a confession of guilt, declaring them traitors, and overrunning and seizing their territories.

Recourse in both cases, was generally had to acts of attainder for the confiscation of the estates of the parties.

An act of attainder is a tremendous instrument of persecution and destruction. There are few conceivable cases, in which it can be used, without egregious injustice and oppression. As it is enacted by the highest authority in the state, there lies no appeal against its overwhelming operation, however atrociously wicked. The instances of its use in England are not very numerous, and rarely occurred, except in times of extreme turbulence and violence, when the voice of reason and justice was drowned in the clamour of faction, cruelty, prejudice, and persecution. Moreover, acts of attainder were passed there only by parliaments correctly convened, according to the usual constitutional forms; whereas, in Ireland, when confiscation was the object in view, the most base, corrupt, and tyrannical measures were adopted to secure such a parliament as would meet the views of the government, however unjust, with the most obsequious complaisance.

What a frightful view opens on the mind at the reflection of a packed parliament, collected together in a corrupt and profligate manner,‡ consigning to death with a stroke of the pen, eighty or a hundred persons, without opportunity of defence—and a large portion of the mem-

* "The late emigrants from England triumphed over the old race, as if they had all forfeited their privileges, and were consolidated with those Irish who had been reduced by their arms."—Leland, I. 354.

† See case of Bourke, supra, p. 35.

‡ See Chapter VI. devoted exclusively to this subject.

bers of this very parliament, sure to divide among them the spoils of the victims they immolated, and devoting to ruin and poverty their unoffending heirs!

Lord Strafford, guilty of a complicated series of injustice, tyranny, and oppression, in the administration of the government of Ireland—of which in some cases a single act would outweigh the guilt of a score of persons who have expiated their crimes in penitentiaries,* was attainted after a regular accusation preferred in due form by a committee of the House of Commons. He had a patient hearing by his peers, and made an elaborate and affecting defence, in which he forcibly appealed to the hearts of his auditors, and availed himself of all the resources of a powerful mind. However intrinsically just the sentence—however clearly established the oppression—the depredation on private property—the iniquitous sentences in the Star Chamber—the ruinous fines imposed, not merely for trivial offences, but for the honest and conscientious discharge of duty—in a word, the various malversations of which he was guilty—yet as there was great informality in the proceedings, which were destitute of the sanction of approved precedents, his condemnation and execution have been subjects of regret and censure with the great majority of the historians who have touched on the eventful period of the civil wars in England during the seventeenth century. There is scarcely a saint in the martyrology, whose fate has been more deplored by the most devoted votary of the religion for the profession of which he was immolated, than Strafford's has been by all the historians who have arrayed themselves under the banners of the monarchic or aristocratic principles. And there are even some of the whig writers who appear disposed to regard his death as a stain on the escutcheon of those, who, in 1640 and 1641, contended against inveterate regal usurpations—many of which had been submitted to without a murmur for centuries—and the enormity of which had been only recently placed in the full glare of day by the increased light which the press had shed on royal duties and popular rights.

But these same writers pass over with the most frigid indifference the horrible attainders which imprint an inextinguishable stain on the legislation of Ireland;—and involved in destruction so many of the Irish and the Anglo-Hibernians, without a trial, without a hearing, without a defence, in three-fourths of the cases without a crime, and against all established precedents. There is not a sigh, not a lamentation, not a regret over the cruel fate of the sufferers—not a syllable of reproach against their oppressors—I might without injustice say, their murderers! for many of these victims were as completely mur-

* This is by no means hyperbolical, but is strictly true. Compare the petty thefts and robberies of one hundred tenants of any of our jails with the depredations perpetrated in Connaught, particularly in Galway, where Strafford seized one-half of all the patrimonial estates in the county—and one-third in the other counties—with the fine of four thousand pounds on the sheriff, and one thousand pounds on each of the jurors, because the verdict was in favour of justice;—with bribing the justices by one-half of the depredations perpetrated under their sanction—with his stationing a body of troops near the place of the session of the jurors, to overawe and force them to give verdicts for the crown—in one word, with his whole career of depredation and rapine—and the petty thieves must "hide their diminished heads," as wholly outdone by this wholesale depredator.

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dered as any of those who fell during the reign of terror under Danton or Robespierre. Were these historians narrating the slaughter of so many tigers, or leopards, or lynxes, they could not perform the duty with more stoical apathy.

Yet there were more persons attainted by a single Irish statute of six pages, than are to be found in the British statutes for centuries. There is now before me an act for the attainder of John Brown and others, which contains no less than one hundred and two names, including almost every person of considerable estate in the quarter of the country where Brown resided, whereby several hundred thousand acres of land were forfeited. This act does not appear to have attracted the attention of a single writer of Irish history.

This long enumeration is followed by a sweeping clause, which extends the attainder to "all others which by actual rebellion and other traitorous actions and practices have traitorously joined or combined themselves with the aforesaid offenders, or any of them, in their said rebellions or treasons, or have aided or assisted them in any of their said rebellions or treasons, and *have died or been slain in the same* their actual rebellion or treasons, or have been by martial law executed for the same." [*Statutes*, 307.] Now it is perfectly obvious that this opened a wide vortex to swallow up estates to an almost unlimited extent. The estate of every man who died during one of those rebellions, or who might be accused by any perjurer of having been in rebellion, was liable to be forfeited to the crown under this sweeping clause—as the only evidence necessary would be a deposition, and depositions, we well know, could be readily procured.

Acts of attainder were more frequent and sweeping against the Anglo-Hibernians, than against the Irish. This arose, from their superior wealth. Had the deluded Anglo-Hibernians acted towards the Irish on principles of justice or equity—had they imparted to them the benefit of English laws, the two races would have coalesced together, and formed a solid phalanx which would have bid defiance to the machinations of the swarms of locusts and vampires, who came over in the train of the deputies and presidents, and whose object, according to the affecting appeal to Pope John XXII. was "*to repair their shattered fortunes.*"

The extent of these depredations, and the temptations they held out to avarice and rapine, may be conceived from the fact, that of the estates of the great Earl of Desmond, who possessed the largest landed property of any nobleman in the English dominions, those who drove him to desperation, and finally hunted him to death, (after having involved the country in all the horrors of a civil war—laid waste a large portion of the fairest province of Ireland—and destroyed thousands of the unoffending inhabitants,) divided among them and their friends, no less than 259,000 acres!!!

On a calm view of the state of society during the time embraced in this portion of Irish history, it will not appear extraordinary, that such awful scenes of rapine took place, in so deranged a situation of affairs —when those restraints on crime which wise laws afford, were almost wholly unknown—when the force of corrupt example and the impunity experienced in the perpetration of this species of crime, tended to destroy all moral restraint—and when the temptations to peculation and oppression were so powerful, and the oppressed so defenceless.

Indeed, these temptations were too great to be resisted, except by persons of the most sterling integrity and disinterestedness. And almost every page of history proves that characters of this description are plants of rare growth. For one Aristides, or Phocion, or Socrates, there are a score Claudii, Verreses, and Bacons. And in the whole list of Irish deputies and presidents, from the invasion till the death of Queen Elizabeth, there were but few who were not more or less criminal; some as sanguinary as Domitian—Arthur Grey, and Mountjoy, for instance—and others as corrupt as Verres; for example, Uffort, Furnival, and Tiptoft. The three who have been the least criminal, are Sydney, Perrot, and Carew.—Yet we have seen that Sydney, in the affair of the cess, was a rapacious and arrogant despot.—And such was the tenor of his conduct throughout his whole career. He it was who paid the price of the blood of Shane O'Neil, to Piers, the Spy, who suborned the Scotch to murder the unfortunate prince. We shall find in the sequel, that Perrot became a kidnapper, and likewise planned the stupendous fraud of base coin, by which Elizabeth swindled the Irish out of 300,000*l.*—and that Carew has recorded of himself the felonious tricks of forgery and mail robbery.

Case of James, Earl of Desmond.

This nobleman administered the government of Ireland as lord deputy under Edward IV. with great credit. He was of a high aristocratical spirit—and, when the king contemplated a marriage with lady Elizabeth Grey, endeavoured to dissuade him from it as a degradation to the regal dignity.* Even after the marriage, he was imprudent enough to speak disparagingly of the queen, and to reflect on the king for stooping so far beneath his rank in the choice of a partner.† The king betrayed his advice to the queen; and further, Desmond's free conversation respecting her, reached her ears. She first procured his dismissal; and then had Tiptoft, Marquis of Worcester, appointed deputy, with instructions to scrutinize the conduct of his predecessor, in order to discover materials to sate her vengeance. This was not difficult. Contraventions of obsolete statutes were proved against him,

* "This earl," says Campion, "followed the fortune of Edward IV. during the civil wars of the houses of York and Lancaster;" and that author makes the cause of his untimely end, "to be owing to his *having advised the king not to marry Sir John Grey's widow*, who was killed at the first battle of St. Alban's, which advice the king did not take; the earl, after this, came over to his government of Ireland, where he continued to rule with honour; but the king, some time after, having a dispute with his queen, let fall those words, '*that if he had taken his cousin Desmond's advice, her pride would have been more humbled*,' which she seemed to take no notice of for the present; but, upon their reconciliation, she asked the king, what advice the Earl of Desmond had given him which concerned her? The king, imagining the earl was not in her power to do him any mischief, freely told her; upon which, she first made interest to procure Desmond's removal from the government of Ireland, and had her favourite, the Earl of Worcester, sent over in his room; who, calling a parliament at Drogheda, (*a place remote from the earl's estate or alliances*,) he there attainted him, and had him executed to the no small astonishment of the whole nobility of Ireland. He adds, that the queen procured a warrant, under the privy seal, for his execution."—Smith's *Cork*, II. 28.

† Campion, 150. Hollingshed, VI. 269. Spencer, 109.

probably by perjury, to which free recourse was had in those days, to accomplish the purposes of a predominant party. Who could withstand the power of the crown in such a distracted country as Ireland was at that period? A compliant parliament was convened; a bill of attainder was readily passed; and Desmond paid the forfeit of his life and estate for his own imprudence and the queen's displeasure.*

Case of Thomas, the sixth Earl of Desmond.

Ralph Ufford, lord justice of Ireland, was corrupt, tyrannical, and rapacious. He married "a miserable woman," according to Hollinshed, who incited him to "*bribery and extortion*,"† whereby in a short time he amassed a large fortune. The immense estates of the Earl of Desmond held out strong temptations for the gratification of the avarice and rapacity of himself and his wife, and he very soon gained possession of them.

Having convoked a parliament to meet at Dublin, the Earl of Desmond and some other nobles refused to attend,‡ and convened an as-

* "Desmond, relying either on his innocence or his power, had the hardiness to repair to the chief governor to justify his conduct; but to the astonishment and confusion of his party, was *instantly brought to the scaffold, and beheaded.*"—Leland, II. 67.

"The laws, on which he was condemned, had been neither uniformly obeyed, nor strictly executed. If he had exacted coyne and livery, (which, by the way, is *not at all urged against him in the act of attainder*,) the imposition had been frequently practised without question or control; and they who in this respect were more obnoxious, had not only been unimpeached, but enjoyed a considerable share of royal confidence and favour. If he had corresponded with the enemy, the interest of his government might have been pleaded for it; and the distresses and necessities of the state, superior to all written laws, might have forced him to make such concessions, as a *malicious interpreter of dormant statutes might have easily construed into a treasonable support and assistance.*"—*Ibid.*

† "This man was verie *rigorous*, and through persuasion, (it is said,) of his wife, he was *more extreame and couetous* than otherwise he would haue beene, a matter not to be forgotten. For if this ladie had beene as readie to moove hir husband to have shewed himselfe gentle and mild in his gouvernment as she was bent to *pricke him forward unto sharpe dealings and rigorous proceedings*, she had beene now as well reported of, as she is infamed by their pens that haue registered the dooings of those times." * * * "His ladie, verilie, as should appeare, was but a *miserable woman, procuring him to extortion and briberie.*"—Hollinshed, VI. 255–6.

‡ "This Uffort, lord justice, *on pain of forfeiture of all his lands*, commanded the Earl of Desmond to make his personal appearance at a parliament, which he called to be holden at Dublin, there to begin the seventh of June; and, because the earl refused to come, according to the summons, *he raised the king's standard, and, with an army, marched into Munster, and there seized the earl's possessions into the king's hands, letting them forth to farm, for an annual rent, unto other persons.* And, whilst he yet remained in Munster he devised ways how to have the Earl of Desmond apprehended; which being brought to pass, he afterwards delivered him upon mainprise of these sureties, whose names ensue: William De Burgh, Earl of Ulster; James Butler, Earl of Ormond; Richard Tute, Nicholas Verdon, Morice Rochford, Eustace Le Powre, Gerald de Rochford, John Fitzrobert Powre, Robert Barrie, Maurice Fitzgerald, John Wellesly, Walter Le Fant, Richard Rokelly, Henry Traherne, Roger Powre, John Lenfant, Roger Powre, Matthew Fitzhenrie, Richard Walleis, Edmond Burgh, sonne to the Earl of Ulster, knights; David Barrie, William Fitzgerald, Foulke De Fraxinus, Robert Fitzmaurice, Henry Fitzberklie, John Fitzgeorge De Roch, Thomas De Lees De Burgh; these, (as ye have

sembly of the nobility and gentry, to meet at Callan, in the county of Kilkenny, to prepare a remonstrance against a very unjust measure adopted by Edward,* namely, the resumption of all the privileges conferred on, and grants made to, the old English nobility of Ireland.

Ufford gladly availed himself of this favourable opportunity—and, as if Desmond had been guilty of treason, marched an army at once into Munster; seized all that nobleman's estates, letting them out at an annual rent; and executed his principal followers, Sir Eustace le Poer, Sir William Graunt, and Sir John Cotterall.—Davies, 153.

This is a most hideous case, and pourtrays in strong colours the piratical and murderous system pursued by the proconsular tyrants who for centuries plundered and desolated Ireland. What was the offence for which the immense estates of this devoted nobleman were confiscated, and some of his "chief followers" hanged? "Tell it not in Gath—publish it not in Askelon." Merely a refusal to attend a parliament, probably a corrupt and packed one, in Dublin, where if he had attended, he would, in all likelihood, have been accused of treason by perjured witnesses, tried by martial law, and hanged like a sheep-stealer, as Richard Bourke had been. See page 36.

It shows how extremely low are the moral principles of many of the English writers on Irish affairs, that Sir John Davies, whose views on this subject are generally fair and liberal, says of this wretched plunderer, D'Ufford, that he was "*a singular good justicer!*"—Davies, 154. Blackbeard was an honourable man compared with him—for he risked his life in his plundering expeditions. He was the foe of all men, and all men his foes. Whereas this "*singular good justicer*," appointed to watch over the happiness and prosperity of Ireland, pursued on a grand scale the system which the petty scoundrel Blackbeard pursued in miniature. The crime of D'Ufford is as far beyond that of the pirate, as the robbery of a bank by its president is beyond that of the burglar who avails himself of false keys to get into the vaults.

From a view of this whole affair, it appears that but for the testimony of Hollinshed, which is not liable to objection, this modern Verres might be regarded as a second Aristides.

Having afterwards, by management, procured the arrest of Desmond, he obliged him to give, as sureties for his appearance, no less than two noblemen and twenty-four of the gentry. The only reason that can be assigned for requiring so unusual a number of sureties, is, that he entertained a hope that Desmond would make default, and that he might, in consequence, be enabled to enforce the penalty on them. If

heard,) were bound for the earl. And because he made default, *the lord justice verily took the advantage of the mainpernors*, four of them only excepted, the two earls and two knights."—Hollinshed, VI. 255.

* "King Edward having been advised to resume all the privileges and grants, which had been made to the old English nobility in Ireland, they refused to meet at a parliament, which was summoned to assemble at Dublin, and held a council at Kilkenny, where they, with the commons, agreed to present several queries to the king, containing the substance of their grievances, and praying redress."—Smith's *Kerry*, 245.

Among these queries one was—"How an officer under the king, who entered very poor, might *in one year grow to more wealth, than men of great patrimony and livelihood in many years?*"—*Ibid.* This obviously refers to the "*extortion*" stated by Hollinshed.

this was the object, it proves that his craft was equal to his rapacity. Desmond did not appear at the time appointed. It is difficult to account for his cruel abandonment of his friends. Perhaps there was some clause artfully inserted in the bond, with which compliance was impracticable. The meagre and partial accounts we have of Irish affairs generally, and particularly of those of such ancient date, render it impossible to solve the numerous difficulties that constantly arise in the perusal of the history of Ireland.

Ufford rapaciously availed himself of this opportunity to seize the estates of the mainpernors, except those of the two noblemen and two of the gentry. "The others were utterly ruined thereby."—Cox, 121. He likewise retained in his hands, the Desmond estates, which were not restored till after his death, when the earl was received into favour.

Thus, three or four hundred thousand acres of lands were forfeited for the crime of *non-attendance in parliament!!!* No other was even insinuated. That they were afterwards restored, was owing solely to the accidental circumstance of the king's affairs in France requiring his whole attention, and rendering it necessary to conciliate his Irish subjects.

It may be said that the forfeitures accrued to the exchequer, and therefore that the lord justice had little personal interest in the affair. These matters were ordered differently in Ireland. Not a fifth part of the amount of forfeiture ever went into the treasury.

Not content with the depredation committed on Desmond, and the ruin of so large a proportion of his sureties, Ufford seized the Earl of Kildare and several other noblemen and gentlemen—committed them to prison—annulled a number of charters, and proceeded so tyrannically, that he was held in such universal abhorrence, that when he died, a year or two afterwards, there was an universal rejoicing and bonfires through the land.*

Much as I have dilated on this case, I cannot let it pass without a few parting observations; although what I have to say is little, if any thing, more than a repetition of what I have already advanced, I trust the liberal reader will pardon this error in an old man. My blood boils in my veins with horror and indignation as I write. A peer is summoned to attend in parliament. He refuses, as he undoubtedly has a right to do. For this offence alone—no other is pretended—three of his followers, gentlemen of the rank of knights—are hanged like sheep-stealers—Desmond himself is stripped of all his immense estates—is pursued like a felon—finally taken—and has to give twenty-four sureties, men of wealth, for his appearance. He fails to appear—probably threats of execution are held out against him to deter him from appearing—the recognizances are forfeited—and the penalty is wrung from twenty of the sureties, who are utterly ruined. Has the world ever witnessed a greater complication of fraud, oppression, and rapacity based on so very slender a foundation?

* "Upon the death of the lord iustice, which insued the next yeare, bon fiers were made, and great joy shewed through all the relme of Ireland."—Hollinshed, VI. 256.

Case of Gerald Fitzgerald, the sixteenth Earl of Desmond.

This is a case of deep interest, and will justify considerable detail, as it is a fair specimen of the wicked system so often pursued, to drive the Irish and Anglo-Hibernians to desperation, for the purpose of confiscating their estates.

Between the Desmond and Ormond families, deadly hostilities had long existed, the chief sources of which were disputes arising from ill-defined boundaries of their conterminous estates. They were daily aggravated, as is usual in such cases, by the petty broils engendered through the insolence and impertinence of tenants, servants, and retainers. Sanguinary battles had been fought, in which hundreds, and in one instance thousands had been in the field on each side. In an engagement at Affane, Feb. 16, 1564, Desmond was taken prisoner, and his followers completely routed.

By the mediation of some mutual friends, it was finally agreed to submit the points of difference to the decision of Elizabeth and her council. Sir Henry Sydney, lord deputy of Ireland, to whom they applied to arrange the preliminaries,* bound them to abide the award, in the enormous penalty of £20,000 sterling, equal, at the present value of money, to at least 500,000 dollars.

Queen Elizabeth was hostile to the Desmond family. The award was in favour of Ormond. How far partiality operated in the case—and how far he was entitled to a favourable award at all, on the merits of the case, it is impossible now to decide. But be that as it may, the award was superlatively wicked, so far as regards the amount of damages, being no less than £50,000, equal to above 1,200,000 dollars at present. With this award it was impossible for Desmond to comply; and it is therefore all but certain that it was intended to entrap him into a forfeiture of the penalty. All the cattle and household stuff in Munster, out of the corporations, were not, according to Sydney, worth that exorbitant sum. He added that Desmond's whole inheritance would not in forty years be worth it. Of the claims of Desmond on Ormond, which were about equal to those of the latter on the former, no notice whatever was taken.†

What part Desmond paid of the damages awarded, or of the penalty subsequently incurred, does not appear in any of the histories.

In consequence of this iniquitous award, new strife took place between the parties, and blood was shed in a serious rencontre.

Henry Sydney seized Desmond, carried him in durance round the country in a circuit through Munster; and finally sent him prisoner to England, where he was committed to the tower, and kept in close

* "And then by the aduise of the councell, both the said earles submitted themselves to the queenes majesties order and determination: and for the performance thereof, they both by waie of recognisance in the chancerie were bound ech of them *in twenty thousand pounds!*"—Hollinshed, VI. 332.

† "The second [article] for restitution to the Earle of Ormond and his tenants, by Desmonde, and his followers, semethe very strange. The booke thereof, as I heare, amountethe to *aboue fiftie thousande poundes;* and the demands of Desmonde against the earle are accompted to be littel lesse, whereof no mention is made! If this should be restored, *all the cattell and householde stuffe in Mounster, (the corporations excepted,) are not worthe it;* if the landes be delyvred in pledge, all *Desmondes whole inheritance, beinge reasonablie surveyed, will not ainswere this* £50,000 *these forty yeres to come.*"—Sydney, I. 41.

confinement, without trial or any legal process whatever, for seven years, till 1573, when he was sent to Dublin, and committed to the castle, whence he made his escape in a few months. Nothing worth notice took place between him and the ruling powers for some years after his escape.

We now draw towards the awful catastrophe of this unfortunate nobleman. Whatever causes of complaint he had received from or afforded to the government, the utmost peace and harmony were restored in 1578, when all grievances and heartburnings were entirely swept away, and a cordial good understanding established between him and Sir Henry Sydney. This acute and vigilant officer, who was not easily deceived, and who was extremely jealous of the Irish nobility, on the first of July of that year, wrote a long letter to Queen Elizabeth,* containing the strongest assurances of the loyalty and fidelity of the Irish chieftain, of which he had received such satisfactory demonstrations as to remove all doubt from his mind. So fair and honourable was the conduct of the earl, that Sydney having some doubts of the fidelity of his brother, James Desmond, he, without hesitation, surrendered him to the deputy to be disposed of as he might judge proper.

This happy state of affairs was soon awfully changed. Shortly after the date of Sydney's letter to Queen Elizabeth, he resigned the government; and the administration of the affairs of Munster devolved on Sir William Drury, who pursued a deleterious policy, which resulted in the destruction of Desmond and the desolation of the largest part of the province of Munster. One of his first measures on his accession to office, was admirably calculated to exasperate Desmond. The county of Kerry had been erected into a palatinate by Edward III. and royal jurisdiction given to the Earls of Desmond, of all pleas,

* "Since the writinge of my last, the gentleman I sent to my Lord of Desmond is retorned, who *hath brought so sound tokens and testimonies of the earles fidellitie*, (*whereof although for myne owne parte I had never cawse to doubt*,) as her majestie may make as *assured an accompte of his loyaltie, and of all the friends and forces he is able to make to serve her majestie, as of any one subjecte she hath in this land;* soche hath beene his publique speaches and demonstracions, and so plainelye hath he nowe discovered himselfe to the world, as *a greater proffe cannot be made of any man than he hath in this tyme made of hyme selfe.*

"And amongest other thinges, I havinge conceived some suspicion of his brother, Sir James, being in this queisye tyme accompanied with a greater trayne than I thought it convenient, consideringe the waveringe opinions of some men, *how easilye they will conceive the woorst of the least pointe that may be doubtfullye taken*, (and yet the supposall was more then the matter was in dede, when the troth was knowen,) I requyred of the earle by my messenger, the better to satisfie the world, and put me out of doubt of his brother, Sir James, that he would either vndertake for hym hymselfe, so that thereby I might be assured of hym, that he should lyve duetifully, and do no harme, or ells that he would send him unto me. He assured my messenger that he would doe in the one and the other as I would direct hym. And thereupon, (hopinge by this meanes the better to assure me,) *delyvered his brother by the hand to my messenger*, who, together in companie with the bishopp of Lymericke and Morrice Shean, the earles secretarie, came hither to me to Dublin, and offered to justifie himselfe in any thinge he should be justlye charged with, and withall proffered, if it pleased me, in any thinge to commaund or imploy him, he would make that good prouffe of his assured loyaltie and fidellitie to hir majestie, as I should have cawse to geve hym further creditt. I was glad to heare it, and hope that when I shall have occasion of triall for hir majesties service, that I shall fynd it."—Sydney, I. 264.

except arson, rape, forstal, and treasure found. [Smith's *Kerry*, 239.] These high privileges had been considered sacred, and duly respected by all the preceding lords deputies and justices. But Drury audaciously violated them, in all probability, judging from subsequent events, with a hope to excite resistance—and thus lead to military execution —attainder—and confiscation.* If these were his views, he was disappointed. Desmond, how grievous soever was the violation of his privileges, quietly submitted—and allowed free course to the jurisdiction of Drury.

In the above year, 1578, Sir James Fitzmaurice, a cousin of the earl, who had been by a course of injustice and oppression forced to fly from Ireland, returned from Spain with a small force, to raise the standard of rebellion. His career was very short; for very soon after his arrival, passing through the country with a small escort, of about twelve horsemen and a few foot soldiers, some of his horses being worn down, he ordered his men to seize the first they saw. They accordingly took two from a plough belonging to Sir William Bourke's tenants. A hue and cry was raised, and two of Sir William's sons with their tenants pursued Fitzmaurice and his people. He tried to persuade them to unite with him, which they declined, as they had suffered too much, they said, in former rebellions. A scuffle took place, in which the two Bourkes and Fitzmaurice were killed. [Smith's *Kerry*, 266.]

Sir John Desmond, who had been soured and exasperated by the unjust treatment of Sir William Drury, joined the insurgents, and took the command of them. A battle ensued, between the latter and the queen's forces, in August, 1759. The insurgents were defeated with considerable loss.

Until this time, there had been no ground for accusation against the Earl of Desmond. He had conducted himself with the most perfect propriety. But suspicions of him were either entertained or pretended.† The pretences employed to justify them were highly frivolous and contemptible—One was, "*it was thought he had combined in a secret conspiration* with the sons of the Earl of Clanrickarde"—and that he had an understanding with his brother John Desmond, who had suffered a grievous imprisonment merely for "a conference had with Shane Burke, and a combination *suspected* to have been concluded betwixt them."‡ Great emphasis was laid on John Desmond's *inten-*

* "Edward the Third had granted the royalties of this county to the Earl of Desmond: but Drury, without regard to ancient patents, determined to extend his jurisdiction into Kerry. Desmond pleaded the ancient privilege and exemption of his lands; but finding the lord president obstinate in his purpose, reserved himself for an appeal to the chief governor, assuring Drury, in the mean time, that he should be received in Kerry with all honour and submission, and inviting him to reside at his house in Tralee."—Leland, II. 314.

† "It was verelie *thought* that he was combined in a secret conspiration with the forelorne sonnes of the Earle of Clanricard, as was his brother, Sir John of Desmond, who for his conference had with Shane Burke *was suspected to have joined with him in his rebellion!* as also because he had promised him aid out of Mounster, if he would hold out, and for which *he was committed to ward!* Which carried more likelihood, because his *intention* was to put awaie his owne wife and to have matched himselfe in marriage with Shane's sister, who was Orwaches wife, and of late forsaken by him!"—Hollinshed, VI. 388.

‡ Sydney, I. 166.

tion to put away his wife and to marry Shane's sister. This was regarded as a corroboration of his guilt! Thus the liberty, property, and even the life of the nobility of Ireland were liable to be sacrificed for their *intentions*—and on the "*thoughts*" and "*suspicions*" of their enemies! What a deplorable state of affairs! For the foulest purpose the mind of man or demon ever conceived, the wicked can always find a pretext. It is only wonderful how shallow have been the pretexts employed in this and other cases of atrocious injustice in Irish history.

The earl sent to congratulate Drury on the result of the battle. But the latter affected to doubt his fidelity, and appeared determined to drive him to extremities. He sent back the messenger, with orders to the earl to join him; which, as the author of the history of Cork observes, "remembering his former long imprisonment,"† he declined. But in order completely to satisfy the lord justice, and to remove all doubts of his fidelity, he sent the countess his wife *to deliver up his only son*, together with a Bishop Haly and a Franciscan friar, *as hostages for his fidelity*.

Had the object been to obtain assurance of his loyalty, this measure would have been abundantly sufficient to satisfy Drury. But far different was the purpose in view. And petty excursions were made into his territories by Maltby, an English commander, to provoke him to resistance. But at this juncture, viz. on the 1st of September, 1579, the death of Sir William Drury, from whom Maltby derived his authority, annulling his commission, he withdrew his troops.

But Sir William Pelham, appointed lord justice on the 11th of October, trod in the footsteps of his predecessor, and brought the affair to a crisis. He sent peremptory orders to Desmond to the following effect.

"First, that he should deliver unto the said lord justice, doctor Sanders, and certeine strangers of diuerse nations, now remaining in the said earles countries, and maintcined by such traitors and in such castells, as be at his devotion and commandement.

2. "That he shall deliver up into hir majesties hands one of his castles of Carigofoile or Asketten, for the pledge of his good behaviour: which *upon sundrie and diverse reasons is suspicious! and he for his disloialtie greatlie suspected!**

3. "That he doo foorthwith come and *simplie submit himselfe* unto hir majestie, and to referre his cause to the indgement of hir majestie and councell in England, or unto him the lord justice and councell in Ireland.

4. "That he doo foorthwith repaire to the lord justice, and *joine with his lordship with all his forces, to prosecute his brethren* and other traitors, and to assist and aid the earle of Ormond, lord generall in this service.

"Which conditions if he will hold, then he shall be reputed as a nobleman, and be received into favour, notwithstanding his errours past: but if he refuse, that

* This passage is entitled to particular attention. The message was written about the 26th or 27th of October, as Pelham arrived at Kilkenny on the 19th;‡ kept sessions there for two days; and was several days afterwards on his circuit. The letter grounds the proceedings on "his good behaviour upon sundrie and diverse reasons, being *suspicious*—and he for his *disloialtie greatlie suspected.*" "His errors past" is too mild a form to be used for any of the acts which are referred to in the subsequent proclamation. There is no mention made of any overt act—nor any thing that could justify the rigorous course of proceedings immediately afterwards adopted towards Desmond. Had any thing of that character occurred, it would undoubtedly have been brought prominently forward.

† Smith's Cork, II. 55.

‡ Cox, 360.

then let him know, that immediately by open proclamation he shall be published a traitor."—Hollinshed, VI. 422.

The fourth article was intended to render the prescription as unpalateable as possible. As John Desmond was at this time so totally defeated, that he never afterwards dared to encounter the royal forces, in regular battle, the assistance of the earl was therefore wholly unnecessary, and this was clearly a work of supererogation, intended for the purpose I have stated.

To increase the chances of rejection, and more certainly to secure the grand object in view, the message was despatched by the hands of the Earl of Ormond, Desmond's hereditary and irreconcileable enemy.

Desmond, in a letter dated the 30th of October, 1579, declined compliance, but made the most solemn promises of loyalty to the government. On his refusal, the bishop and friar, whom (as I have stated) he had sent as hostages, were basely hanged, and his son sent to England!

The execution of the bishop and friar was actual murder. They were sent as guarantees for the fidelity of the earl, and not being accepted for that purpose, ought to have been returned, the lord justice having then no more right to put them to death than any other individuals in the country.

The earl was, and with reason, afraid to visit the lord justice. He had gone to the camp at Kilmallock,* in consequence of a summons from Drury, some months previously; had been immediately imprisoned; and had considerable difficulty in procuring his release. It is not therefore wonderful, that he shrunk from again confiding his person in the same quarter.†

On the 1st of November, the earl was denounced as a traitor in the annexed proclamation.

* "He sent from thense a messenger to the earle of Desmond, and so likewise to all the principall gentlemen of the best accompt in those partes, to come vnto him.

"The earle in outward appéerance seemed verie willing to come; but untill he had received some promise of favour from the lord iustice, he still lingered and trifled the time and came not. But in the end his lordship being verie well accompanied with horsemen and footmen, he went to the campe, and presented himselfe before the lord iustice, and made a shew of all dutifulnesse, obedience, and fidelitie, whereas indeed no such thing was ment. For though his bodie were there, *his mind was elsewhere!* for whiles he was in the campe, sundrie trecheries were practised by him; yet they were not so secretlie doone but they came to light, and were discovered to the lord justice. *Whereupon he was committed to the custodie of the knight marshall.* Whiles he was in his ward, and fearing least some greater matters would be reuealed against him, he praied accesse to the lord iustice; and then he humbled himselfe verie much, and promised and sware upon his honour and allegiance, that he would faithfullie and to the uttermost of his power serve hir highnesse against the rebels. Whose humblenesse and promise the lord justice by the advise of the councell did accept, and so inlarged him."—Hollinshed, VI. 415.

† "But here by the waie, (which should before have been said,) as he came towards Waterford through Tipporarie, the countesse of Desmond met with him, and brought with hir hir onelie sonne and heire to the earle: and being a sutor in the behalfe of hir husband, presented him to the lord justice to be a pledge for the truth and fidelitie of the earle, hir husband. For after the time that he was set at libertie in the camp néere Killmallocke, *he never repaired any more to the lord iustice, but stood upon his owne keeping, notwithstanding by his letters he professed all loialtie and obedience,* which he never meant."—Hollinshed, VI. 415.

"The erle of Desmond's treasons articulated.

1. "That the erle of Desmond hath practised most unnaturallie the subversion of the whole state.

2. "That he practised to bring in strangers, and practised with foren princes to bring and allure in strangers to invade this land.

3. "That he fostered and maintained doctor Sanders, James Fitzmoris, and others beyond the seas to worke these feats.

4. "That albeit to the vtter shew of the world, he seemed at the first to dislike with them at their landing: yet were they secretlie interteined by the said earles permission, throughout all his countie of Palatine in Kerrie.

5. "That when his brethren most traitorouslie had murthered Henrie Dauels and others at Traleigh, he *did let his said brethren slip, without reproving or blaming of them; and had also commended speciallie the slaughter of Edward Duffe, an Englishman, who at the said murthering laie in the next bed vnto Dauels.*

6. "That when the strangers at Smerwéeke had no waie to escape by sea, at the coming of Sir William Drurie, he gave place vnto them for their escape by land, and gave his tenants and followers libertie to aid, helpe and mainteine them.

7. "That *contrarie to the commandement given unto him by the lord iustice, he returned into Kerrie*, and caused the strangers to leave the fort, and to repaire to the towne of Dingle, and to other places which were at his deuotion, and had there interteinements.

8. "That *he distributed the ordinances and artillerie of the forts vnto the rebels, as dooth appeere by a note found in the portmantieu of doctor Allen latelie slaine in the incounter executed by Sir Nicholas Malbie!!!*

9. "That *he hath set at libertie such strangers as he kept colourablie as prisoners, and hath appointed them to guard his houses and castels.*

10. "That he hanged most abominablie Richard Eustace, Simon Brian, and others the quéenes subiects, for whome he vndertooke to the late lord iustice to be safelie brought unto him.

11. "That he sent sundrie of his principall men, servitors and followers, and his household servants, as also his chiefe captains, which under the pope's banner displaied most traitorouslie in the fields, did assaile Sir Nicholas Malbie, knight, hir majesties lieutenant of all Mounster, at Mounster Enagh, and which banner Nicholas Williams the earles butler did that daie carie.

12. "That he hath utterlie refused manie persuasions, friendlie counsels, sundrie messages, and all the good means vsed and wrought to reduce and to bring him to obedience.

13. "That he hath not onelie refused to deliuer up doctor Sanders and the Spaniards, which doo dailie accompanie him; but *hath broken downe his castels, burned his townes, and desolated his countries aforehand, to the intent hir majesties forces and subiects shall not be succoured nor refreshed!!!*

14. "That *he dailie looketh for a further aid and a new supply of foreners!!* and dailie soliciteth the chief men of the Irish countries to ioin with him in this his most execrable and rebellious enterprise.

15. "That *he openlie protested and sent a message to the lord iustice that he would disturbe the whole state of Ireland!!!*

"Wherefore they did pronounce, proclame, and publish him to be a most notorious, detestable and execrable traitor, and all his adherents, against hir majesties crowne and dignitie, vnlesse within twentie daies after this proclamation, he did come in, and submit himselfe."—Hollinshed, VI. 423.

Here we have one of the many futile proclamations which were issued to denounce the Irish possessed of property, previous to the confiscation of their estates. It is deserving of a critical examination, in order to expose its fraud and villany.

One feature of the transaction stamps all the parties concerned with lasting infamy, and clearly proves that Desmond's destruction had been resolved upon. The proclamation allowed him twenty days to surrender himself. During these twenty days, every principle of honour, honesty, and justice, imperiously demanded a suspension of all hostile proceedings. On any other ground, the indulgence offered was a so-

lemn mockery. This is the language of common sense. But the enemies of the unfortunate nobleman, in order to render his case utterly desperate—to destroy all chance of submission on his part—or of his escape from the toils spread for his destruction—immediately broke up the camp, and a war of extermination commenced.

The countess came to the camp with some propositions from her husband, within one hour after the publication of the proclamation—but even then found it too late. The horrible orders had already gone forth to convert the fairest portion of the beautiful province of Munster into a human slaughter house.

This atrocious circumstance would be incredible, were it not explicitly narrated by Hooker.

"Immediatlie, and *within an houre after this proclamation*, the countesse of Desmond came to the campe; but the campe was before dislodged from the towne!!! and *all his countrie foorthwith consumed with fire; and nothing was spared which fire and sword could consume!!!!*"—HOLLINSHED, VI. 424.

"*Nothing was spared which fire and sword could consume!*" Great God! what a horrible sentence! Who can read it without shuddering at the barbarity of the Goths who issued the incendiary and sanguinary orders! The infernal regions could not select a band capable of exceeding the atrocity of the perpetrators of this wickedness. And this, let it be distinctly observed, is not the exaggerated account of an enemy, whose sufferings might lead him to colour highly the barbarity of a ruthless destroyer. No: it is the simple statement of the affair, narrated by the cold-blooded historian of the devastators. Well might Elizabeth exclaim, in an agony of remorse at the horrors perpetrated in Ireland—"Alas! how I fear lest it be objected to us as it was to Tiberius by Bato, concerning the Dalmatian commotions, '*You, you it is that are in fault, who have committed your flocks, not to shepherds, but to wolves!*'"—CAMDEN, 219.

It is worthy of particular notice, as shedding strong light on this flagitious transaction, that two of the twelve members who composed the privy council, Lord Delvin and Lord Gormanstown,* positively refused to sign the proclamation, indubitably on account of its manifest injustice. Of the remaining ten, whose signatures appear to sanction this cruel document, five belonged to the Ormond family, whose inveterate malice, the persecution and utter ruin of Desmond were well calculated to gratify—viz. Ormond, Edward Butler, Edmund Butler, Theobald Butler, and Piers Butler. Among the other five were the baron Dunboyn, and the bishop of Waterford, who, for aught we know, may also have been Butlers.

To enable the reader duly to appreciate the value of this proclamation, let him answer the question, what chance of justice would a whig have stood, if a bill of indictment were to be framed against him by a host of refugees during the American revolution—a recusant monk or friar from one of Danton's tribunals—or a defender from a band of envenomed Orangemen? Even such chance would Desmond have had before a council composed one half at least of the house of Ormond, his bitter and all-powerful enemies—and the other half most probably under the direct influence of that rival family.

Those who consider with what facility, rapacity and ambition, in

* Cox, 360.

all ages, have forged pretexts to warrant their lawless outrages and depredation, will readily admit that the most serious of these items were in all probability forged. For the declaration of hostilities which took place, it was necessary to find some pretence. And it is only to be wondered at, that the major part of the accusations were so unsubstantial and so utterly devoid of plausibility. But were they all judicially established, they would not warrant the awful devastation which followed, and which cannot be contemplated without horror and detestation.

How extremely difficult it is at this distance of time and place, to disprove any assertions whatever, which wear the semblance of plausibility, how false soever they may be, must be obvious to the meanest capacity. For instance, had this proclamation stated that Desmond had murdered five hundred Englishmen in their beds—set fire to Cork—poisoned the wells—or blown up part of the English army—we could not disaprove it at present. We might, indeed, by a combination of circumstances, prove the allegations so utterly improbable, as to destroy all confidence in them. But to establish the complete negative of them would be absolutely impossible. In the investigation, therefore, of this tissue of accusations, I must necessarily labour under considerable difficulty. But I hope the reader will have the candour to agree, if I make it appear that six or seven of them are futile—one or two absolutely false—and one or two utterly improbable—that the remainder are undeserving of credit.

The proclamation is headed "the erle of Desmond's *treasons* articulated." Surely the first vague article about practising to subvert the state—the 4th about strangers entertained by his permission—the 5th, wherein he is charged with "letting his brethren slip, after the murder of Davells, without reproving them"—the 6th, about giving place to the strangers to escape—the 7th, about his returning to Kerry, contrary to the commandment of the lord justice—the 9th, about setting strangers at liberty—the 12th, wherein he is charged with refusing many persuasions, friendly counsels, &c.; and the 13th, wherein he is charged with refusing to deliver up Dr. Saunders, far from being treason, are not even common misdemeanors, and, introduced here, are futile to the last degree, and absurdly destroy confidence in the remainder.

The 5th article requires further consideration. One branch of it states that Desmond "*commended speciallie* the slaughter of Edward Duffe, an Englishman, who, at the said murthering, laie in the next bed unto Davells."

Now even if he had "speciallie *commended* this slaughter," it furnishes no ground for proclaiming him a traitor—for setting a price on his head—and slaughtering his unoffending tenantry, after having desolated their country by fire. To *commend murder specially*, or otherwise, displays a very wicked disposition: but however we may abhor such odious *commendation*, it is not cognizable by any court, nor punishable by any law. Therefore its introduction appears only intended to swell the list of charges; to render the devoted nobleman odious; and to reconcile the world to the destruction prepared for him. But the fact is, that the assertion is not only untrue, but the very reverse of truth; for the earl utterly disapproved and reprobated the flagitious act, according to Hooker himself, who explicitly states this fact

a few pages before the proclamation. "The earl himself, when he heard hereof was marvellouslie greeved and offended with his brother, and gave him such sharpe speeches, that it was thought they would not so soone have been freendes againe."* Camden confirms the opinion of Hooker. "*The earl, when he heard it, condemned the fact, detesting it with all his heart.*"—CAMDEN, 237.

Nothing can be more clear and explicit than these statements. They stamp ATROCIOUS LIE in broad characters on this particular of the accusations, and prove, to the conviction of every man, not wilfully blind, that the accusers of Desmond, for the gratification of their avarice and their hostility to him, had no scruple about recurring to flagrant falsehood in order to secure his destruction. Had the entire privy council come into a court of justice, and sworn to all the accusations in one mass, the proof of the perjury in the one instance would nullify their testimony as to all the others. And it would not be unreasonable to apply the rule in this case, where a notorious falsehood is unblushingly asserted, to nullify the other assertions from the same quarter, with or without deposition.

The falsehood of the fifteenth article can be established with almost as much certainty as that of the fifth. All the letters and messages of Desmond abounded in professions of loyalty, utterly inconsistent with the tenor of this accusation, even if we suppose him entirely insincere. About a month previous to the proclamation he had, moreover, as we have seen, delivered his only child, together with bishop Haly and a Franciscan friar, to the deputy as hostages—and the letter of the 30th, which was sent two days previous to his denunciation, does not warrant the most remote idea of "*disturbing the whole state of Ireland.*" Even if he had such an intention, he would be an arrant fool, to announce it, so as to enable his enemies to defeat his purpose. Of the above letter, Hooker states—"He returned his answer by a letter, dated at Crough, the 30th of October, 1579, vsing therein nothing but triflings and delaies, requiring restitution for old wrongs and injuries, and *iustifieing himselfe to be a good subiect* though he doo not yeeld to the foresaid articles."

This would be abundantly sufficient to prove the fallacy of the article. But the disproof does not rest wholly on this ground. The queen's forces had recently and signally defeated Sir John Desmond, and were in full force, elated with their victory. After having made so many zealous efforts to avoid being driven to extremities, while his brother was in the field with a powerful body of troops, it would have been the height of madness to have provoked the wrath of the government by such a rodomontade declaration, at a time when his chances of success in a struggle with that government were wholly annihilated. I hope these facts and inferences are enough to satisfy every reader that this charge is utterly destitute of foundation.

An allegation somewhat more absurd than this appears against Desmond in Cox and other writers, which I adduce merely to show how predominant has been the spirit of falsehood in his case. "He wrote, on the 20th of November, 1579, an arrogant letter to the lord justice, importing that he and his brethren were entered into the defence of the Catholic faith, under the protection of the pope and the King of

* Hollinshed, VI. 410.

Spain—and *invited the lord justice to join with them!*"* That is to say, the Earl Desmond, a Roman Catholic, a rebel, defeated, and prostrate in strength and hopes, invites the lord justice of Ireland, a protestant, at the head of a victorious army, to join him in rebellion against his sovereign! Has the world ever exhibited a much more complete specimen of stupidity and malice than appears in this charge? Those are but poor artists in the vile trade of lying, who concoct their stories so as to carry condemnation imprinted on their foreheads, and to prevent even those who would wish them true, from giving them credit; for the most bigoted enemy of the Irish would reject this miserable tale.

Camden has been absurd enough to perpetuate this story, and to disgrace his Life of Elizabeth by the narration.

"Desmond and his brethren, though lurking and hiding their heads, signified to the lord justice in a long letter, that they *had undertaken the protection of the Catholic faith in Ireland,*—and that by authority of the bishop of Rome, and direction of the Catholic king: and therefore they do *kindly advise him to join with them in so pious and meritorious a cause for the salvation of his own soul!*"—CAMDEN, 240.

Two other items of the proclamation are so directly contradictory of each other, that we are lost in admiration at the folly of those who coupled them together.

By the 13th article he is accused of "having *broken down his castels, burnt his townes, and desolated his countries aforesaid, to the intent her majesty's forces and subjects shall not be succoured nor refreshed.*" Yet in the very next, the fourteenth, he is accused of "dailie looking for a supply of foreigners, and dailie soliciting the chiefe men of the Irish countries to join him in this his most execrable and rebellious enterprize." The absurdity and wickedness of these accusations are palpable to the meanest capacity. They carry fraud more legibly on their forehead than the former one. Desmond, as appears by his letter to Ormond, and the whole tenor of his conduct, was a man of talents. The veriest idiot that ever existed, if he meditated insurrection or rebellion, would not destroy his castles, or burn his towns, and desolate his country.

The "distribution of the ordinance and artillery of the forts, unto the rebels," which is one of the most important items, rests on so rotten a foundation, as not to be worth a moment's notice. It was discovered by "*a note found in the portmantieu of doctor Allen, lately slaine in the encounter executed by sir Nicholas Malbie!*"

The flagrant forgery perpetrated by Sir George Carew, without any scruple of conscience, and his robbery of the Spaniard's despatches, as stated in the sixth chapter, pretty clearly show what degree of credit is to be attached to "*notes found in portmanteaus*," and how delicate a sense of honour was entertained by the officers then employed against the Irish.

On this article, respecting "the ordinance and artillery," it may be asked, had such a circumstance, which must have been scarcely possible to be concealed, taken place, is it at all supposable that it should not have been discovered till the note was found in doctor Allen's portmanteau? To this question no answer can be given that will not stamp rank forgery on this "*portmanteau*" story.

* Cox, 361.

This "note" of Dr. Allen's is entitled to further consideration. Perjury and forgery were, during the sixteenth and seventeenth centuries, among the most potent engines of government, when any sinister or flagitious purpose was to be effected. The instances of the employment of these vile means are innumerable, and lie scattered throughout the histories of that period. The destruction of Mary queen of Scots was accomplished in a great degree by such means. To the extent of the use of forgery in the case of Mary, Camden bears ample testimony:—

"Verily there were at this time *some subtile ways taken to try how men stood affected.* COUNTERFEIT LETTERS *were privily sent in the name of the queen of Scots and the fugitives, and left in Papists' houses!! Spies were sent abroad up and down the country, to take notice of people's discourse, and lay hold of their words! Reporters of vain and idle stories were admitted and credited!*"—CAMDEN, 294.

These "*counterfeit letters*" to entrap the Roman Catholics of England, were written about the same period as the "*note*" so conveniently "*found*" in Dr. Allen's portmanteau, and by the same kind of men.

On their use in Ireland, and the pernicious effects they produced on the affairs of the insurgents, Camden makes the following remark:—

The deputy Mountjoy "so cunningly cherished a distrust which he had wrought amongst the rebels, by *counterfeit letters*, that misdoubting one another, they parted asunder."—CAMDEN, 584.

The accusation contained in the eleventh article is obviously incorrect. The battle at Monaster Ena was fought during the life time of Sir William Drury,* several months before the proclamation appeared: and if the earl had been guilty of so palpable an act of rebellion, as "sending his principal men, servitors, and followers, and his household servants, as also his chief captains, to assail Sir Nicholas Malbie," can it be supposed for a moment, that the government would have temporized with him any longer?—that they would not at once immediately after the signal defeat of Sir John Desmond in that battle have pursued him with fire and sword, as they afterwards did?—that they would have allowed him time to acquire strength? In a word, that he would have sent his "chief captains," &c. to the field, thus exposing himself to all the consequences of rebellion, after having neglected to take all the chances in his power, for success, by joining his brother with all his forces while he was yet at the head of an army?

The contest continued for three years with every possible advantage on the part of the government, and with the utmost disparity of force on that of Desmond. The horrid waste of human life, and the depredation of property with which it tarnished the Irish annals, belong to the next chapter. Suffice it here to state, that John Desmond was killed in 1582, and the earl, who had been reduced to the most abject distress, and forced to fly from place to place to save his life, was murdered in 1583. The manner of his death was as follows.

The Earl of Ormond, his deadly enemy, pursued him and his wretched adherents, with the most indefatigable rancour and industry. Desmond finally retreated to a bog, with a few of his followers, whose fideli-

* Hollinshed, VI. 416.

ty remained unimpaired by his fallen fortunes. When he was at the lowest ebb, they ventured out, and seized some cattle for his subsistence. The owner of the cattle, and some soldiers of an English garrison pursued the prey to the bog. Seeing a light at some distance in a miserable hut, they advanced under the guidance of one Kelly, of Moriarta. When they entered the hut, they found only one venerable old man, feeble and languid, stretched before the fire. Kelly brutally attacked and wounded him, without knowing who he was. The hapless old man invoked the ruffian to spare his life; and supposing, as was natural, that the revelation of his name would inspire pity and reverence, and insure his life, cried out—"Spare me—I am the Earl of Desmond." He was miserably deceived. The disclosure produced an effect diametrically opposite to his expectations. It hastened his end. Kelly chopped off his head, and conveyed it to Ormond, who forwarded it to Elizabeth, by whose order it was impaled on London bridge.‡

Thus fell, a victim to the undying malice and unsatiable rapacity of his enemies, a nobleman whose estates exceeded in extent those of any other English subject. They were forfeited to the crown,* and above one-third of them conveyed to some of the leading dependants of the court,† who were principally instrumental in producing the war, at the annual rent of 1976*l.* 7*s.* 5*d.*§ being *about two pence per acre!*

* "The Earl of Desmond and his accomplices had forfeited a vast estate, amounting in all to 574,628 acres of land. The earl himself had a prodigious revenue, for these times; and perhaps greater than any other subject in her majesty's dominions."—Cox, 392.

		Acres.
†	Co. Waterford, Sir Christopher Hutton	10,910
	Co. Cork and Waterford, Sir W. Raleigh	12,000
	Co. Kerry, Sir Edward Denny	6,000
	Ib. Sir William Harbart	13,276
	Ib. Charles Harbart	3,768
	Ib. John Holly	4,422
	Ib. Capt. Jenkin Conway	526
	Ib. John Champion	1,434
	Cork, Sir Warham Saint Leger	6,000
	Ib. Hugh Caff	6,000
	Ib. Sir Thomas Norris	6,000
	Ib. Arthur Robins	1,800
	Ib. Arthur Hide	5,574
	Ib. Francis Butcher and Hugh Wirth	24,000
	Ib. Thomas Say	3,778
	Ib. Arthur Hyde	11,766
	Ib. Edmund Spencer	3,028
	Cork and Waterford, Richard Beacon	6,000
	Limerick, Sir William Courtney	10,500
	Ib. Francis Berkly, Esq.	7,250
	Ib. Robert Anslow	2,599
	Ib. Richard and Alex. Fitton	3,026
	Ib. Edmund Manwaring, Esq.	3,747
	Ib. Waterford, and Tipperary, Sir Edward Fitton	11,515
	Ib. Wm. Trenchard, Esq.	12,000
	Ib. George Thornton, Esq.	1,500
	Ib. Sir George Bourcher,	12,880
	Ib. Henry Billingsley, Esq.	11,800
	Inverary, Thomas, Earl of Ormond	3,000
		205,699!!!!

‡ Smith's Kerry, 266.

§ Cox, 393.

Case of Baron Nugent, Lord Kildare, Baron Delvin, &c.

In the year 1580, under the administration of Lord Grey, a conspiracy of Baron Nugent, Lord Kildare, Baron Delvin, and others, was pretended to be discovered for the purpose of extirpating the English.*

That there was no foundation for this plot—that it was a mere fabrication, similar to so many which preceded and followed it, is rendered all but absolutely certain by the following circumstances, which shed strong light on the subject, and afford the highest degree of probability, indeed every thing short of absolute certainty, which the nature of the case will admit, to the idea of its having been a fabrication.

The first circumstance is all-important. Camden, it appears, informs us that the deputy "*incurred great displeasure with the queen for putting these men to death.*" Queen Elizabeth's stern character is well known. She was made of too firm a texture to feel "displeasure," "great" or small, at the execution of real criminals. Her "displeasure" must indubitably have arisen from a conviction of the innocence of the sufferers. It is not, therefore, assuming too much, to assert, that this fact alone, in the absence of all other evidence, would warrant the most serious doubts, almost amounting to a total disbelief of the reality of the plot.

There is another circumstance not unworthy of attention. The only two original writers, who mention the death of these gentlemen, so far as appears from history, are Hooker and Camden, whose accounts are very different indeed. They were both cotemporaries, the former having greatly the advantage of the latter, by being at the scene of action, and recording events, of many of which he was an eyewitness. Camden received them at a distance, heightened and caricatured by the magnifying powers of common fame. Of course, in the discrepancy between them, Hooker's authority is far more to be relied on, than Camden's.

"Hooker, a cotemporary writer, resident and employed in Ireland, and by no means partial to the old English race, doth not take notice of this formidable conspiracy, except by *slightly mentioning a design formed against the person of the deputy.*"—Leland, II. 345.

* In this year, [1580] took place the discovery of a plot of "divers noble families in Leinster, most of them descended of English blood, partly out of affection to the Romish religion, and partly out of hatred to the new-come English, who, many times, contrary to the intent of the law, excluded them as mere Irish from offices of government and magistracy, to surprise the lord deputy with his household; to take the Castle of Dublin at unawares, where all the provision of war lay; and to *put the English in Ireland every man to the sword!* and so close were they in carrying on their conspiracy, that *they never discoursed about it more than two and two together!!* But among so many as were privy to it, it came at last to light, and was by the execution of a few timely extinguished. The most remarkable of whom was J. Nugent, baron of the exchequer, *a man of a singular good life and reputation*, who was merely circumvented, (as the Irish report,) by the cunning of his adversaries. He, relying upon the conscience of his own innocency, when *the lord deputy faithfully promised him his life if he would confess himself guilty, chose rather, being guiltless, to undergo an infamous death, than by betraying his own innocency, to lead an infamous life.* Howsoever, the truth were in this matter, certainly the lord Grey *incurred great displeasure with the queen for putting these men to death.*" —Camden, 257.

We may fairly assume, that had there been any foundation whatever for the report of the plot, as stated by Camden, it could not have escaped Hooker, and would assuredly have been by him recorded.

How then, shall we account for the high colouring of the picture by Camden? Probably Grey, finding his conduct severely reprobated, on the ground of the original story, added the aggravating particulars in his statements to the English ministry, to palliate his crime.

The refusal of Nugent, a man of fair unblemished character, elevated station, and high standing in society, to accept his life, on condition of confessing himself guilty of the crime alleged against him, must be allowed to be entitled to the most serious consideration. It "brought the utmost discredit on Lord Grey's administration."—LELAND, II. 346.

One other circumstance, still more important, remains. The Earl of Kildare and his son-in-law, baron Delvin, were among the persons implicated. They escaped the axe and the gibbet in Ireland, and were sent prisoners to England, where they were all tried and acquitted.

"On a fair and candid examination, they were all acquitted of every charge and suspicion of disloyalty. The precipitation, with which Nugent and the other culprits had been executed, now became doubly odious. Grey was represented as *a man of blood, who had not only dishonoured his nation and sovereign among foreigners, but alienated the hearts of all the Irish subjects by repeated barbarities. Detested in his government*, and severely censured in England, he grew weary of his present charge, and petitioned to be recalled."—LELAND, II. 346.

These facts and inferences are offered to the reader's consideration, for rejection or acceptance, in proportion to their importance and bearing on the subject. I fondly hope that they will satisfy any rational mind, that the plot was, in all probability, a contrivance of Lord Grey's for the gratification of his avarice, or his malice, or both united.

From the mode in which Cox mentions this plot, for which baron Nugent was sacrificed, it is almost certain that he disbelieved it, although he does not explicitly express that opinion—"Whether they were guilty or not, I leave, (as I found it,) doubtful."—Cox, 367.

Spencer, who endeavours to defend Lord Grey, nevertheless states the character given of him in England, in stronger terms than Leland; and from various circumstances to be found in the Irish history during his administration, particularly the butchery at Smeerwick,* there cannot be a doubt but the character was richly merited—

"Complaint was made against him, that *he was a bloodie man, and regarded not the life of her subiects no more than dogges, but had wasted and consumed all, so as now she had nothing almost left, but to reigne in their ashes.*"—SPENCER, 168.

Case of the O'Moores and O'Connors.

These two septs were harassed and goaded into resistance by sheriffs and marshals—and being unable to stand against the forces of the government, were obliged to conceal themselves. Some English officers having found out their retreat, persuaded them to surrender, and proposed to make their peace. They accordingly went to England—but were thrown into prison—and their lands bestowed on those whose insidious counsels they had followed.†

* See postea, Chap. IV.

† "Some English officers, who had discovered their retreats, proposed to make their peace. It was insinuated with what clemency the Irish Insurgents in the late

The case of Shane, or John O'Nial.

Of all the Irish chieftains during the sixteenth century, Shane or John O'Nial, was by far the most powerful. He was regarded by his countrymen as sovereign prince of Ulster; of which province almost all the nobility and gentry were his feudatories, under different tenures. His estates were of enormous extent, and great value. They excited the rapacity of the Irish administration and its dependants, who were on the watch for a pretext to confiscate them.

Forged plots were the means resorted to in this, as in so many other cases. The temptations to subornation, for the purpose of effecting confiscation, were powerful. And forgery and perjury were then, as they have always been, a saleable commodity, and never were there stronger temptations or less reluctance to employ them. That the one party should buy oaths, which proved so valuable, and that the other party should sell them at the regular market price, is not wonderful.

From the date of his accession to the title and estates of his father, he was engaged in repeated skirmishes and warfare with the English, caused partly by their depredations—partly on the ground of pretended plots—and partly from the favour shown by the government to his bastard brother Hugh. But into the details of the early part of his history I shall not enter, confining myself to those circumstances which immediately preceded and led to his destruction.

After one of those petty warfares, he had a conference with the deputy Sussex, and immediately afterwards sailed for England, and paid his first visit to the court of Elizabeth in Dec., 1561, whither he went to satisfy the queen of the provocations he had received, and to justify his conduct. He was received with attention—succeeded completely—and returned home in May, 1562.

But his enemies were indefatigable. They thirsted after his possessions; were resolved, if possible, to dispossess him; and commenced their operations the very next year after his return.

The *auri sacra fames* has in all ages goaded mankind, even in well regulated societies, to violate the rules of honour and justice. But I repeat what I have already observed, and shall be occasionally called on to reiterate, that so many of the pretended plots should be superlatively absurd, and so much *à la Munchausen*, is truly unaccountable. The folly of the fabricators appears to have kept pace with their rapacity. Some of these plots seem as if they were studiously contrived, to ascertain how far public credulity could be carried.

The conspiracy, or rather "*conspiracies*," with which commenced those nefarious attempts on the life and estate of Shane O'Nial, which were finally crowned with success, partake in an eminent degree of this character, and add to the weight of evidence already offered to the

reign had been treated, on their submission; what favours and even what honours they had received at the court of England. They were advised to take the same course, which they were assured would be attended with the same success. They embraced this counsel, submitted, and consented to attend Saint Leger into England. But here the only favour granted, was, that they were not brought to immediate execution. *They were committed to prison, their lands declared forfeit, and granted to those by whose counsels they had surrendered!!!!*"—Leland, II. 229.

reader, to show by how very slender and precarious a tenure, life and property were held by the nobility and gentry of Ireland.

For the account of these "*conspiracies*," we are indebted to Sir James Ware, whose narration is given with apparent full reliance on its genuineness. And yet it is so truly ludicrous, that it would at present be treated with contempt, if offered to the meanest justice of the peace in the country, against a field negro. The nature of these "*conspiracies*" is given up in the following statement:—

"At this time the lord lieutenant received some intimation that Shane O'Nial *was contriving new conspiracies*."—Ware, 6 Eliz. 7.

This alarming exordium would lead to the belief that some most important disclosure was about to be made—as, for instance, the raising of large bodies of men clandestinely—the purchase of quantities of arms and ammunition—the building or repairing castles or fortifications —or some dangerous machinations tending "to subvert the state." Such is the promise held out by these "*new conspiracies*"—but after exciting these great expectations, it appears that the whole is merely a "*new*" version of a very old fable—*Parturiunt montes—nascitur ridiculus mus.* These "new conspiracies" sunk into the following old wife's tale:

"A kinsman of his, [Shane O'Nial's,] drinking in company with the collector of the archbishop of Armagh's revenues at Drogheda, was heard to swear by his soul, that *his cousin was a patient fool,* and so were his ancestors, in taking an earldom from the kings of England, when by right themselves were kings. He further added by way of question to the bishop's servant, Is it not so? The man was glad to comply, and to say it was so, seeing six of the Irish in the room, with their skeans by them. But as soon as he came to his master, Adam Loftus, he cried out, *Pardon me, master.* The archbishop asking him, Why, what hast thou done? He told him the whole story. Whereupon *he wrote to the lord lieutenant about it!*"—Ware, 6 Eliz. 7.

The clue to the proceedings in this, and in the other cases already narrated, is plain and simple—Leland states it in a very few words:—

"It was the interest of the English officers to represent their conduct in the severest light. *If once declared rebels, their lands and property lay at the mercy of their pursuers.*"—Leland, II. 347.

With this clue, we can readily account for the endless succession of fabricated plots, and the so-often-repeated aggressions upon the Irish and Anglo-Hibernians. The temptations were irresistible. Lord Strafford displays the glorious harvest which deputies reaped out of these plots, and "*new*" and old "conspiracies." To suppose that their subordinate agents did not derive their full share of the plunder, would argue against the universal experience of the world in all analogous cases.

"Others had the happiness not only to enjoy, but to have their labours rewarded besides; my Lord Chichester with land at one gift worth at this day *ten thousand pounds a year!!* the Lord Falkland *ten thousand pounds in money at once!*"—Strafford, II. 294.

Lands worth ten thousand pounds a year! Ten thousand pounds in money at once! What a hideous view this affords of the affairs of Ireland! How extensive the depredation on the wretched Irish to make up these preys! And how strong the temptations such douceurs afforded to fraud and peculation!

It is difficult to decide which is greater, our disgust at the puerility of this miserable fabrication, or our abhorrence of the wickedness of

those who could make it a pretext to plunge a large section of country in all the horrors of warfare for the purpose of feeding their avarice with the plunder of one of the richest subjects in the kingdom. A truant boy of even mediocre talents, who was planning to deceive and bar out his schoolmaster, would have invented a more plausible tale to accomplish his purpose.

These "new conspiracies," to which so much importance was attached, that they were communicated to the lord lieutenant and council, while they prove the poverty of intellect of the contrivers, fully prove, beyond the possibility of doubt, another point of far more importance —that is, the innocence of O'Nial; as a character must be very pure, indeed, against which no other objection could be raised by persons devoured by the desire of dispossessing him of his estate.

This statement merits particular attention in an important point of view. A nobleman of an illustrious family is denounced as a conspirator, and war is made upon him, in consequence of the chattering nonsense of two garrulous servants. One of these throws himself at his master's feet, craving pardon for a crime, which, it is presumed, must have been misprision of treason at least! And this paltry story of the six skeans is incorporated into a grave history, of considerable reputation, and has hitherto been regarded as genuine! This is one of a thousand proofs how miserable a rhapsody Irish history is, and with how much caution its statements should be received by those who do not willingly lend themselves to deception.

Sir James Ware informs that "this" [that is to say, the story of O'Nial's kinsman—and the six skeans—and the servant falling on his knees] "created a suspicion of what afterwards came to pass—*for he was presently up in rebellion again.*"† There is a small error here, a transposition of facts. He was attacked in consequence of these "*new conspiracies*"—resisted—and this was what is styled "rebellion."

It will doubtless appear extraordinary, but is nevertheless true, that in consequence of those "*new conspiracies*," considerable bodies of troops were raised, and dispatched against O'Nial—his territories were invaded—considerable "preys of cattle made"—and some of his towns taken and destroyed. Both parties, however, fearing the ultimate result, were inclined to a compromise, which accordingly took place, under the mediation of O'Nial's kinsman, the Earl of Kildare.

In an interview between Sydney and O'Nial, the latter displayed such talent and address, as surprised the English officers. His claim to the title of O'Nial and the family estate had been questioned in favour of his elder brother Hugh and his heirs, who had been countenanced by the English, with a view of fostering dissentions in that great family.* He fully established the absurdity and injustice of

* The vile system of fomenting dissention among the Irish had been one of the grand levers of the government from its first establishment. That it was the favourite policy of Elizabeth's cabinet may be seen by consulting Leland, Vol. II. page 355. It is distinctly avowed as the policy of St. Leger, lord deputy in the reign of Henry VIII., that "he made it his business to break the dependencies of the Irish; and to

† Ware, 6 Eliz. 7.

Hugh's pretensions, as he was the bastard son of a blacksmith's wife, by whose husband he had been maintained till he was sixteen years of age, when, for the first time, his mother, countenanced by some of the dependents on the government, alleged him to be the son of Con O'Nial, the father of Shane; that by no law of England or Ireland had a bastard a claim to the inheritance; but that independent of his own rights by paternity, he had other claims of a high and indefeasible order, as he had been freely and legitimately chosen chief by the congregated members of the sept. He painted in glowing colours the frivolous grounds on which his loyalty and fidelity had been called in question, the injuries and outrages offered him, and the patience with which he had borne them. In a word, he silenced his enemies by a most eloquent appeal to the honour, justice, and understanding of his astonished auditors.*

The council, nevertheless, were for apprehending him, notwithstanding the irrefragable nature of his pleas and the justice of his cause. But to this Sydney would not consent. He declined deciding on the subject, and referred it to Queen Elizabeth and her council.

Accordingly O'Nial made his appearance at the court of the queen attended by a train of his gallowglasses, equipped in the martial habiliments of his country.†

He there pleaded his cause as eloquently and powerfully as he had done before Sydney, and with equal astonishment on the part of his auditors. He carried conviction to their minds, and covered his enemies with shame. He was favourably received by Elizabeth, to whom he did homage and swore fidelity. She dismissed him with honours and presents—created him a baron of the kingdom of Ireland—and thus entitled him to a seat in the Irish parliament.

On his return home, anno 1563, he fully redeemed his pledge of loyalty. He raised a considerable body of troops, with which he attacked and defeated the Scotch, who had invaded Ulster, where they had made considerable conquests. He completely subdued and drove them out of the province, and captured their general, who was mortally wounded in an engagement. His talents as a statesman were not inferior to those he displayed in the field. To his admirable system for the administration of affairs in Ulster, Campion bears strong testimony.‡

Cox passes an encomium on him, that "*he protected the poor, and*

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that end, upon all references to him, *he took care that the weaker party might depend on the government for protection,* and that he should not rely upon, nor be under the subjection of any other."—Cox, 278.

* "The spirit and address of this plea do not bespeak the sottishness and stupidity of a drunkard. Sydney consulted his counsellors; his counsellors were silenced by the reasoning, and astonished at the firmness of the Irish lord. By their advice he replied, that the points now stated were of too great consequence to receive an immediate decision; that they were first to be communicated to the queen."—Leland, II. 271.

† "Armed with the battle axe, their heads bare, their hair flowing on their shoulders, their linen vests dyed with saffron, with long and open sleeves, and surcharged with their short military harness; a spectacle astonishing to the people, who imagined that they beheld the inhabitants of some distant quarter of the globe."—Leland, II. 278.

‡ "*He reduced the north so properly, that if any subject could approve the loss of money or goods, he would assuredly either force the robber to restitution, or of his owne cost redeeme the harme to the loosers contentation.*"—Campion, 189.

was orderly in every thing, except" what he styles "his tyranny over the lords and gentlemen of Ulster, whom he claimed to be his vassals." —Cox, 317.

This reformation of the country in so short a space of time, equally proves the talents and merits of O'Nial, and the ductility of the Irish under a good administration. It is a strong satire on the English policy, of which the inevitable effect was to deteriorate the manners and morals of the people.

But all these services and merits could not outweigh the demerit of his great estate, which the English who had flocked to Ireland to "better their shattered fortunes" devoured in expectation.

The decree had gone forth for his destruction. There was in this instance no plot even pretended. The aggression was wicked, wanton, and unprovoked.

Ware states the ground of the commencement of hostilities—

1566. "*On the complaint of the nobility*, the lord deputy raised a great army to *root out Shane O'Nial*."—Ware, 9 Eliz. 10.

This requires explanation. Sydney, the lord deputy, was a disciple of Machiavel. He distinctly avowed his principle to be *divide et impera*.

"I am, and ever have bene of opinion, and holde the same for an infallible principle, that the discipacion of the great lordes and their countries, by good distribucion into maney handes, is a sounde way of proceadinge to the perfecte reformacion of this unhappie and cursed estate."—Sydney, 1. 96.

This was his political creed—and like too many other statesmen he believed that the end sanctified the means. He considered the power of O'Nial as too formidable for the safety of the English government, and determined to crush it, regardless of the fidelity of, and the services rendered to the government by, O'Nial.

As a preparatory measure he fostered and encouraged the jealousies of the feudatories of O'Nial, particularly Calvagh, of Tyrconnel, and Maguire, of Fermanagh, who were rejoiced to have a chance of shaking off their dependence on that chief. Between the seignior and his feudatories discord almost always prevails, carried to a greater or less extent in proportion to the chance of resistance on the part of the latter. The enforcement of just claims by the former is regarded as oppression and exaction by the latter; and the resistance of undue claims by the feudatory as a sort of treason by the seignior. When an artful politician is at hand to fan the embers, flames never fail to break out.*

* "Sydney knew the most effectual method of reducing the northern chieftain, and pursued it with vigour and address. It had been his first care to engage the northern Irish, who had been injured by O'Nial, firmly to the interests of the crown. He conferred with Calvagh of Tyrconnel; reinstated him in full possession of his territory; and so wrought upon him by courtesy, that he acknowledged the queen his rightful mistress, and sovereign of Ireland, in all causes ecclesiastical and temporal; promised due obedience to her deputy; engaged, that if it should please her majesty at any time, to change the customs of his country, and to govern it by her laws; or to confer a title of honour on him, or any of his people, he would assist and co-operate with her gracious intentions; but above all, he bound himself to oppose the rebel John O'Nial with all his powers. In like manner he restored Maguire, Lord of Fermanagh, to his territory, and engaged him in the service of the queen, with several of the Irish lords of Connaught. Thus did Sydney raise up a number of neighbouring enemies against John O'Nial, provoked by his injuries, and ever ready to seize the occasion of infesting him; while he himself took his station on the northern borders with a considerable force."—Leland, II. 284.

In addition to these preparatory measures, he built a fortress at Derry as a bridle on O'Nial, where he placed a garrison under the command of Randolph, an English officer of reputation.

When all these arrangements were completed, the nobility were easily instigated to make their "complaints," as Sir James Ware states; and the determination to "*root him out*," long since formed and resolved on, was announced. The lord lieutenant Sussex, who preceded Sydney, had received instructions from Elizabeth's council, among the items, "*To reduce Shane O'Nial by force or otherwise.*"† "Otherwise" is here a word of great latitude—It implies "*Flectere si nequeo superos, Acheronta movebo.*"

The object must be accomplished by force or fraud—by fair means or foul. Doubtless Sydney had the same instructions—and fatally for O'Nial, he strictly obeyed them.

Hostilities began at Derry. Randolph, wholly unprovoked, made an irruption into the territories of O'Nial, in which he slaughtered numbers, but deservedly lost his life for his wanton aggression.*

This affair is otherwise narrated in nearly all the histories. They state that O'Nial assembled a body of troops near Derry in a bravado, and that Randolph, irritated, made a sally out on them. The object is to cast on Nial the odium of the aggression. But this statement is unwarranted. The irruption was made in consequence of the instigated "*complaints of the nobility*," on which this war of extermination was commenced.

O'Nial finding his fidelity unavailing to secure him from the hostility of the Irish government, entered on the war with a degree of vigour suitable to the energy of his character. He soon overran the territories of Maguire, and made a brave defence against the combined forces of the government and his former dependants, now arrayed in hostility against him. For a time he was tolerably successful—but finally all his talents and his energies were unavailing—his enemies were too numerous and powerful; he was defeated in every quarter; and reduced to such a very low ebb, that he was on the point of throwing himself on the mercy of the lord deputy and suing for pardon. From this measure he was dissuaded by his secretary, by whose advice he went to solicit aid from a party of Scotch invaders who had a camp at Clandeboy, in the hope that, although there had been hostilities between him and them, they would be willing to unite with him against the common enemy, the English.

In this attempt he was defeated and lost his life. Piers, an English spy, in the pay of the lord deputy, eagerly availed himself of the opportunity to lay a snare for the formidable enemy of the Irish government, whose name, even in his fallen fortunes, was still an object of dread. He bribed some of the Scotch to commence an altercation with O'Nial's secretary, which, with some address and management, was worked up into an affray wherein the Scotch butchered the chief and all his followers. Piers cut off his head, and sent it to the deputy, who had it stuck on a pole, on the top of the castle of Dublin, and

* "Randolph, more spirited than cautious, issued out against a party of his [O'Nial's] boisterous followers, and repelled them with considerable slaughter—but lost his life in the encounter. This action *was not justified by any direct hostilities committed by O'Nial—and therefore afforded him a fair subject of complaint.*" —Leland, II. 282.

† Cox, 315.

paid the spy one thousand marks as a reward for this honourable service ! !—Leland, II. 287.

In consequence, an act of attainder was passed, by which O'Nial's estate was confiscated, and his name extinguished. The details of this act, one of the most extraordinary specimens of legislation extant, belong to the seventh chapter, devoted to the developement of the frauds and corruption practised in the election of members of the Irish Parliament.

The extent of the forfeited lands was enormous—being, according to Sir John Davies, more than half the province of Ulster.*

Of the extreme inaccuracy and misrepresentation of the English histories of Irish affairs, the instances are numberless, as have appeared and will appear throughout this Vindication. The rule of those who administered the government of Ireland, was to blacken and defame, and to render odious and contemptible, as far as in their power, those whom they had destroyed, or determined to destroy.

O'Nial affords a strong exemplification. This nobleman, who had amazed Sydney and his council with his powers and his eloquence, and, what is more remarkable and striking, who, in spite of the prejudices existing at the court of Elizabeth against the Irish in general, and himself in particular, ingratiated himself by his address and talents, into her favour and that of her ministers, is represented by most of the English writers as a mere brute and savage, destitute of humanity and cultivation. Among the absurd tales fabricated against him, one was, that *he hung one of his followers for eating English bread!!* Another, that he was lost in habits of the most beastly intemperance.†

There is hardly the shadow of a doubt that both these stories are utterly destitute of foundation. They are belied by the whole tenor of his history. Campion states a trait of his daily conduct, which displays humanity and religious feeling, not very consistent with the tales narrated of him by his enemies—"Sitting at meate, before he put one morsel into his mouth, he used to slice a portion above the dayly almes, and send it, namely, to some begger at his gate, saying, it was meete to serve Christ first."‡ This is not the act of such a deplorable wretch as he has been pourtrayed. The idea of putting one of his followers to death for eating English bread is too farcical, and is a mere nursery tale. Let it be observed that while Leland and other writers state that he hung only one of his followers—Camden extends the story to the plural number—"*He strangled some of his own men for that they fed on English bread.*"—Camden, 105.

* "To augment the king's revenue, in the same parliament, upon the attainder of Shane O'Nial, *he resumed and vested in the crown more than half the province of Ulster.*"—Davies, 188.

† "Albeit he had most commonlie two hundred tunnes of wines in his cellar at Dundrum, and had his full fill thereof, yet was he never satisfied till he had swallowed vp maruellous great quantities of vsquebagh, or aqua vitæ, of that countrie; whereof so vnmeasurablie he would drinke and bouse, that *for the quenching of the heat of the bodie,* which by that meanes was most extremelie inflamed, and distempered, he was eft soones conueid, as the common report was, *into a deep pit!! and standing upright in the same, the earth was cast round about him, up to the hard chin, and there he did remaine vntill such time as his body was recouered to some temperature!!* by which meanes, though he came after in some better plight, yet his manners and conditions became daily worse ! ! !"—Hollinshed, VI. 331.

‡ Campion, 189.

CHAPTER IV.

Wide-spread desolation and conflagration of houses, villages and towns. Insatiable rapacity. Ruthless ferocity. Indiscriminate slaughter of men, women, and children, without distinction of age, sex, or condition.

> "*His realm a slaughter-house—his subjects slain.*"
>
> SHAKSPEARE.

> "No age was spared; no sex, nay, no degree;
> Not infants in the porch of life were free;
> The sick, the old, who could but hope a day
> Longer by nature's bounty, not let stay.
> Virgins and widows, matrons, and pregnant wives,
> All died. 'Twas crime enough that they had lives.
> To strike but only those who could do hurt,
> Was dull and poor."—B. JONSON.

THE unanimous voice of Europe has justly stamped the name of Louis XIV. with infamy for the barbarous and brutal desolation of the Palatinate, where fire and sword made horrible devastation in a flourishing and populous country. From this hideous stain, the herd of pensioned flatterers, as well those who surrounded his throne, as those whose adulation was purchased abroad by his treasury, have in vain attempted to exculpate him. To the end of time it will adhere to his memory. This, however, is for one palatinate war, and the destruction of a small territory. Ireland exhibited a palatinate war in one quarter or other, almost incessantly for centuries, and the same brand must eternally attach to the administrators of the government, and the commanders of the English armies there. Their murderous and desolating system of warfare against the ill-fated Irish, during the period embraced in this portion of the present work, has few parallels in history, except among the most ferocious of mankind. Allowing for the scale of operations, these commanders may fairly vie with Attila, Genghis Khan, Bajazet, or Barbarossa, so far as the narrow limits of the island permitted. They were actuated by a perfectly congenial spirit, and deserve a conspicuous place in the annals of desolation, in company with those destroyers of mankind. Attila, or any devastator more fell than Attila, could do no more in the utmost exercise of ferocity, than burn whole towns and villages—destroy the fruits of the earth, for the express purpose of producing famine and pestilence—and slaughter indiscriminately, men, women, and children. Such were the exploits that signalized the career of the armies of the Irish government. No tiger or hyæna was ever devoured with a more ravenous thirst of blood. Wherever their power extended, during what they styled insurrection or rebellion, fire and sword consumed every thing—and "*nothing was spared which fire and sword could consume.*" [HOOKER, apud HOLLINSHED, VI. 423.] These are the words of one of their own historians, in relation to the Desmond war; but they apply to most of their other wars with equal force. Illustrious men, whose

heroism, public spirit, zeal, and ardour, in the glorious cause of the liberty of their country, entitle them to rank with Epaminondas, Pelopidas, Alfred, Gustavus Vasa, the prince of Orange, or Washington, were infamously devoted to an ignominious death by the hands of the common hangman, cut down alive, embowelled and quartered—and their estates confiscated with as little regard to honour, honesty or justice, as ever was displayed by Blackbeard, the pirate.

This is a tremendous picture, and, provided its correctness can be established, is enough to make the hair of one's head to stand on end—to excite the most deep-rooted abhorrence of the perpetrators—and an equally deep-rooted sympathy for the sufferers. To produce these effects, all that is necessary, is to establish the fidelity of the portrait by such evidence as will preclude doubt or denial. This melancholy task I undertake. I require credit for no fact, unless it rest on the authority of the perpetrators themselves, or their own historians. I disclaim —a plan unexampled—all the testimony of the sufferers or their friends.

From the contents of this chapter it will appear clearly, that for centuries, Ireland was a great human slaughter-house, and that the land was literally flowing with blood.* The murder of every human

* "And as they went, they drove the whole country before them unto the ventrie, and by that means they preyed and took all the cattle in the country, to the number of eight thousand kine, besides horses, garrons, sheep, and goats: and *all such people as they met, they did without mercy put to the sword;* by these means, the whole country having no cattle nor kine left, they were driven to such extremities, that *for want of victuals they were either to die and perish for famine. or to die under the sword!!!*"—Hollinshed, VI. 427.

"The soldiers, likewise, in the camp, were so hot upon the spur, and so eager upon the vile rebels, that that day *they spared neither man, woman nor child!!! but all was committed to the sword!!!*"—Hollinshed, VI. 430.

"On the fourteenth day of June the lord justice invaded and destroyed Clanawleft, and thence marched through Sleulogher to Kerry, and on the fifteenth *took a prey of one thousand kine and many sheep.*"—Cox, 356.

"The governor of Carriefergus, sir Arthur Chichester, issued from his quarters, and *for twenty miles round reduced the country to a desert. Sir Samuel Bagnal, with the garrison of Newry, proceeded with the same severity, and laid waste all the adjacent lands. All the English garrisons were daily employed in pillaging and wasting!!*"—Leland, II. 453.

"By reason of the continuall persecuting of the rebels, who could have no breath nor rest to releeve themselves, but were alwaies by one garrison or other hurt and pursued; and by reason the harvest was taken from them, their cattels in great numbers preied from them, and the whole countrie spoiled and preied: the poore people, who liued onelie upon their labors, and fed by their milch cowes, were so distressed, that they would follow after the goods which were thus taken from them, and *offer themselves, their wives, and children, rather to be slaine by the armie, than to suffer the famine wherewith they were now pinched!!*"—Hollinshed, VI. 433.

1510. "They marched into Desmond without opposition, *burning and spoiling all as they went!!*"—Cox, 201.

1521. "Surry left a garrison there, and *burnt the country till the twenty-third of July!!*"—Cox, 211.

1530. "Having preyed the country, he returned with *these happy first-fruits of his government!!*"—Cox, 222.

1538. "Thereupon the deputy marched against Savage, a degenerate Englishman, into Ards and Lecale, and there he took Mac Genis his castle of Dundrum, and seven castles more, and wasted and preyed all that country; and, which was

being, without regard to age, sex, or condition—the conflagration of every species of building—and the destruction of every thing calculated to minister to the sustenance of man or beast, for ten, twenty, or thirty miles, was an almost every day occurrence, narrated with as much

worse, *he burnt the cathedral church of Downe, and defaced the monuments of the saints, Patrick, Bridget, and Columbus, and committed many other sacrileges!*" —Cox, 255,

1557. "The lord deputy on the twenty-fifth took a prey, and came to Armagh, the rebels still flying before him; on the twenty-seventh *he burnt Armagh*, except the church."—Cox, 305.

1600. "Captain Flower was sent into Carbry with 1200 foot, and 100 horse, and *burnt and preyed as far as Ross!*"—Cox, 425.

1600. "On the 28th of May, the president entered Clanwilliam, and John Burk refused to submit personally, pretending that his priests taught him that it was a mortal sin so to doe. The president disdaining that frivolous answer, *the next day burnt and destroyed his houses, corn and country!!* and then on the 30th of May, Burk came and submitted."—Cox, 426.

1600. "The president sent Maurice Stack, with 50 men to Kerry, where he surprized Liscaghan castle, *burnt Adare, and preyed the country!*"—Cox, 429.

"The same day *fiftie-eight were executed in the market place!*"—Pacata Hibernia, 574.

"The earle of Clanricard had many faire escapes, being shot through his garments, and no man did bloody his sword more than his lordship did that day, and *would not suffer any man to take any of the Irish prisoners, but bade them kill the rebels!*"—Idem, 421.

"Whome though until hir majesties pleasure knowne he did forbeare, yet the residue he spared not: but after their deserts, *he executed in infinit numbers.*"—Hollinshed, VI. 370.

"The president, therefore, aswell to debarre these straglers from releefe, as to prevent all meanes of succours to Osulevan, if hee should returne with new forces, caused *all the county of Kerry and Desmond, Beare, Bantry, and Carbery, to be left absolutely wasted.*"—Pacata Hibernia, 680.

"They passed the next morning over the bridge of Adare, and by the waie, *they burned and spoiled the countrie.*"—Hollinshed, VI. 429.

"On the first of May, Capt. Taaf took a prey of 300 cows, and many sheep, and on the second, Capt. John Barry brought in another prey of 500 cows, 300 sheep, and 300 garrons; and on the 8th, 300 men were in the night sent to Artully to meet sir Charles Wilmott's forces, and to conduct them to the camp; which was effected to the great grief of the rebels, and a prey of 4000 cows was taken in Iveragh."—Cox, 450.

"Upon the fifth of May hee secretly dispatched a partie of men, which *burnt and spoyled all the countrey*, and returned with *foure thousand cowes, besides sheepe and garrons.*"—Pacata Hibernia, 538.

"The lord justice marched a few miles in Mac Aulies countrie, *spoiling, defacing, and burning the same.*"—Hollinshed, VI. 432.

"On the 31st of October, the English took a prey of 2000 sheep, and 1000 garrons, from O'Sullivan and the Irish, who fought very smartly for their cattel, so that many were slain on either side."—Cox, 453.

"They tooke also from thence certaine cowes and sheepe, which were reserved there as in a sure storehouse, and *put the churles to the sword that inhabited therein.*"—Pacata Hibernia, 659.

"Great were the services which these garrisons performed: for sir Richard Pierce and captain George Flower, with their troopes, *left neither corn nor horne, nor house unburnt, between Kinsale and Ross.* Captain Roger Harvie, who had with him his brother, captain Gawen Harvie, captain Francis Slingsbie, captain William Stafford, and also the companies of the Lord Barry and the treasurer, with the President's horse, *did the like between Ross and Bantry.*"—Idem, 645.

"Some were slain of the lord governor's men, though not so many, amongst whom captain Zouche's trumpeter was one; which so grieved the lord general that

sang froid, as a party of Cherokees would detail their incendiary and tomahawking incursions against neighbouring savages.

Next to the indiscriminate slaughter of the people, and conflagration of property, the most remarkable feature of the warfare against the

he commanded all the houses, towns, and villages, in that country, and about Lefinnen, which in any way did belong to the earl of Desmond, or of any of his friends and followers, *to be burned and spoiled!!!*"—HOLLINSHED, VI. 425.

"Hereupon Sir Charles, with the English regiments, overran all Beare and Bantry, destroying *all that they could find meet for the relief of men, so as that country was wholly wasted!!!*"—Pacata Hibernia, 659.

"The next daie following being the twelfe of March, the lord justice and the earle divided their armie into two several companies by two ensigns and three together, the lord justice taking the one side, and the other taking the other side of Slewlougher, and *so they searched the woods, burned the towne, and killed that daie about foure hundred men, and returned the same night with all the cattell which they found that daie!!!*

"And the said lords, being *not satisfied with this daie's service!!* they did likewise the next daie divide themselves, *spoiled and consumed the whole countrie until it was night!!!!!*"—HOLLINSHED, VI. 430.

"They passed over the same into Conilo, where the lord justice and the earl of Ormond divided their companies, and as they marched, *they burned and destroyed the country.*"—Ibid.

"He divided his companies into foure parts, and they entered into foure severall places of the wood at one instant; and by that meanes they scowred the wood throughout, *in killing as mannie as they tooke*, but the residue fled into the mountains."—HOLLINSHED, VI. 452.

"There were some of the Irish taken prisoners, that offered great ransomes; but presently upon their bringing to the campe, *they were hanged.*"—Pacata Hibernia, 421.

"Then dividing into three parts marched to Dingle, and as they went, they drove the whole country before them, whereby *they took a prey of eight thousand cows, besides garrons, sheep, &c. and slew a great many people*, and had slain more but that sir William Winter gave many of them protections."—COX, 366.

"One hundred and forty of his gallow-glasses had the misfortune to be intercepted and made prisoners; and as intelligence was received that the rebels advanced and prepared to give battle, Skeffington, with a barbarous precaution, *ordered these wretches to be slaughtered; an order so effectually executed, that but one of all the number escaped the carnage.*"—LELAND, II. 181.

"Capteine Macworth recouvered the possession of the whole, and *did put fiftie to the sword, of which nineteene were found to be Spaniards:* and *six others he tooke, whereof one was a woman, which were executed in the campe!* None were saved that daie but onelie the capteine Julio, whom the lord justice kept for certeine considerations two or three daies: but in the end he was hanged as the rest were before him."—HOLLINSHED, VI. 431.

"Sir Charles Wilmot with his regiment was sent againe into Kerry, (which countrey having therein great store of corne and cattle, would otherwise haue beene left open to the rebels reliefe,) with direction to remoue all the inhabitants with their goods and cattle, over the mountaine into the small county of Limerick, and such corne as could not be presently reaped and convaied, (as aforesaid,) *hee was commanded to burne and spoyle the same.*"—Pacata Hibernia, 582.

"From this he tooke his journie towards Corke, and in his waie at Drunfening he *tooke a preie of one thousand five hundred kine or cowes*, which were all driven and sent unto Corke."—HOLLINSHED, VI. 425.

"When after great trauels *they had maruelouslie wasted and spoiled the countrie*, they appointed to march to Carigofoile, and to laie siege to the same."—HOLLINSHED, VI. 430.

"They *wasted and forraged the countrey, so as in a small time it was not able to giue the rebels any reliefe! having spoiled and brought into their garrisons the most part of their corne, being newly reaped.*"—Pacata Hibernia, 584.

1600. "On the 12th of August, Mountjoy with 560 foot, and 60 horse, and some

Irish, was the plunder of cattle wherever the English armies came. Every cow or horse, or sheep they met with, no matter to whom belonging, was legitimately seized, and swept away as spolia opima. Hundreds of thousands are to be found stated in the histories, thus plundered by the marauding parties that were let loose in every quarter of the country for rapine and slaughter.

The garrison of Smerwick, in the county of Kerry, consisting of seven or eight hundred men, chiefly Italians, was besieged by the lord deputy Arthur Grey, anno 1579, and after a short resistance, offered to capitulate. Terms being inexorably refused, they were constrained to surrender on mercy. Except the officers and the Irish, the latter of whom were reserved for an ignominious death on the gallows, they were *all infamously butchered in cold blood.* To Walter Raleigh, on whose chivalrous spirit so much applause has been absurdly lavished, was committed the perpetration of this murderous deed.*

A loud cry of indignation was raised on the continent at this barbarity. Elizabeth, ashamed of the atrocity, and desirous to exculpate herself from any connivance at, or participation in, the guilt, expressed the strongest disapprobation of the conduct of the deputy, who, in palliation, asserted that the prisoners were nearly as numerous as his own army

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voluntiers, marcht to Naas, and thence to Philipstown, and in his way took a prey of 200 cows, 700 garrons, and 500 sheep, and so *burning the country!*"—Cox, 428.

1600. "Sir Arthur Savage, governour of Connagh, designed to meet the lord lieutenant, but could not accomplish it, though *he prey'd and spoil'd the country as far as he came!*"—Ibid.

1600. "Mountjoy staid in this country till the 23d of August, and *destroyed* 10,000*l. worth of corn, and slew more or less of the rebels every day!* One Lenagh, a notorious rebel, was taken and hang'd, and a prey of 1000 cows, 500 garrons, and many sheep, was taken by sir Oliver Lambert, in Daniel Spany's countrey, with *the slaughter of a great many rebels!*"—Ibid.

1601. "Then he wasted Sleugh-Art, a little country in Tir-Oen, full of woods and bogs, *about fifteen miles long!*"—Camden, 638.

1601. "It was not long before he did invade Macduff's country, and took a prey of 1000 cows, and *burnt what he could not carry away.*"—Cox, 436.

1601. "The deputy sent out sir Henry Danvers with 300 foot *to burn about* 20 *houses, which he effected.*"—Cox, 439.

"The Leinster rebels, by driving the royalists into their fortified towns, and living long without molestation, had cultivated their lands and established an unusual regularity and plenty in their districts. *But now they were exposed to the most rueful havock from the queen's forces. The soldiers, encouraged by the example of their officers, every where cut down the standing corn with their swords, and devised every means to deprive the wretched inhabitants of all the necessaries of life!*"—Leland, II. 453.

"There was taken from them in that dayes service, 2000 cowes, 4000 sheepe, and 1000 garrons."—*Pacata Hibernia*, 656.

"Wee got the armes of 100 and fourtie, and *all their horses, cowes, sheepe and garrons*, that were in the country neere adjoyning."—*Idem*, 662.

* "That mercy, for which they sued, was rigidly denied to them. Wingfield was commissioned to disarm them, and when this service was performed, an English company was sent into the fort. The Irish rebels found there, were reserved for execution by martial law. The Italian general and some officers were made prisoners of war; but *the garrison was butchered in cold blood; nor is it without pain that we find a service so horrid and detestable committed to sir Walter Raleigh.*"—Leland, II. 343.

—that a body of Irish was approaching—and that self-defence obliged him to pursue the sanguinary course he had adopted.*

If the pleas of criminals were to be allowed to pass current, there never was a crime which would not be obliterated from the records of justice. The most atrocious deeds would be not merely palliated, but proved entitled to applause. Gray's apology will not stand the test of a moment's inquiry, as will appear from the sanguinary career uniformly pursued at this period by this very deputy and the other English officers, in cases where there was not a shadow of a pretext to justify their barbarity.

A case in point, to establish this position, occurred a very few years after, with respect to certain Spaniards, who were wrecked on the coast of Ireland, and who took refuge in some caves, from whence they were drawn out, and in the same murderous spirit, as dictated the massacre of the garrison of Smerwick, two hundred of them were cruelly beheaded. Here there was not the slightest plea of danger from the extension of mercy.†

Among the odious features of the horrible warfare waged in Ireland, the following may claim a conspicuous place. Whenever the Irish were pursued, and endeavoured to escape the swords of their enemies, any of their countrymen, to whom they fled for safety, or who, from motives of humanity, afforded them shelter, were doomed to destruction—their houses were burned, and themselves and families exterminated.‡

A castle was besieged on the sea coast. The officer who commanded the besiegers, thirsting after the blood of the ill-fated wretches, and fearful lest any of the victims with whom he desired to glut his vengeance, should escape by sea, placed some boats to intercept them, by the crews of which they were slaughtered.§

* "The queen wished it had not been done, detesting from her heart such cruelty, though necessary, against persons who had yielded themselves; and hardly did she allow of the reasons for the slaughter committed."—Camden, 243.

†. "The deputy sent Fowl, deputy-marshal, who drew them out of their lurking-holes and hiding-places, and beheaded about two hundred of them. This carriage the queen condemned from her heart, as savouring of too great cruelty."—Camden, 417.

‡ "The president having receiued certaine information, that the Mounster fugitives were harbored in those parts, *having before burned all the houses and corne*, and taken great preyes in Owny Omulrian, and Kilquig, a strong and fast countrey, not farre from Limerick, diverted his forces into East Clanwilliam and Muskry-quirke, where Pierce Lacy had lately beene succoured, and *harassing the countrey, killed all mankind that were found therein, for a terrour to those as should giue reliefe to runnagate traitors ! ! thence we came into Arleghe woods, where wee did the like, not leaving behind us man or beast, corne or cattle, except such as had been conveied into castles ! !*"—Pacata Hibernia, 189.

1600. "About the 18th of December, Sir Francis Barkley having notice that many rebels were relieved in Clanawly, marcht thither and *got a prey of* 1000 *cows*, 200 *garrons, many sheep, and other booty, and had the killing of many traytors.*"—Cox, 434.

§ "Some fourtie of them made a sally out of the castle to the sea side, whither our men pursuing them on the one side, and they being crost by Captaine Blundell with a small party of men, (on the outside of the barbicon,) on the other side, *wee had the execution of them all there*, (saving eight which leapt into the sea to save themselves by swimming.) But the lord president supposing before that they would in their extremity make such an adventure to escape, had appoynted Captaine Gawen

Another castle was besieged by the sanguinary Charles Wilmot, and undermined so far as to be on the point of being blown up. The garrison, who had bravely defended themselves for three weeks, were finally obliged to surrender, and begged for mercy on their knees. Their heroism would have secured favour and pardon from any enemy possessed of a single spark of generosity. But their supplications were as ineffectual with Wilmot, as the bleatings of an innocent lamb with a ravenous wolf. They were all hanged.*

Massacre was the daily and nightly sport of the English officers. Mercy formed no part of their creed. The sleeping, sick, wounded, and dying, were legitimate food for their swords.†

Several women prisoners were actually burned alive. I am not able to refer to the pages of history in which the facts are stated, having lost my memoranda. But I pledge myself for their authenticity. The interference of the queen rescued a heroine of the name of Rhise from the flames.‡

The ruthless fury of the English officers and soldiery, it was impossible to escape, even by most abject submission.§ The offers of the Irish to surrender, and their supplications for mercy were spurned, and themselves devoted to feel the edge of the sword. Extermination was the order of the day. The shallow pretence was that those who had not entered into insurrection, only waited for an opportunity.

The fact stated in the annexed note, is no otherwise connected with

Harvie, and his lieutenant Thomas Stafford, with three boats to keepe the sea, *who had the killing of them all; other three leapt from the top of the vault, where our souldiers killed them!*"—Pacata Hibernia, 571.

* "The foundation of the castle was undermined, as farre as the middest of the seller, which the ward perceiving, made humble to bee permitted to depart with their liues, which Sir Charles absolutely refused: but if they would simply render themselues, the castle and all things in it to his discretion, hee would then stay further proceeding in his worke, otherwise they might looke within very few howers to bee blowen up. The ward, which were eighteene in number, came forth, and upon their knees submitted themselues unto him, whom hee caused to be apprehended; the women and small children he suffered to depart; *of the weaponed men he hanged nine*, so many of ours being lost at the seige, which continued more than three weekes, the residue hee detained, untill he had acquainted the president with all these accidents, who *gaue present order for the execution of the rest.*"—Pacata Hibernia, 175.

† "The capteine breaking time with them, made staie in the wood accordinglie; and in the afternoon he learned by his espials, that they were returned from the mounteins, and were entered into their cabins, where *some of them were asleepe, and some of them occupied in dressing of a horse for to eat, for other vittels were scant.* The capteine suddenlie entered upon them, and tooke them at such advantage, that *they were all for the most part put to the sword:* of which five and twentie were taken in their cabins."—Hollinshed, VI. 452.

"The next morning being the fourth of January, 1602, Sir Charles coming to seeke the enemy in their campe, hee entered into their quarter without resistance, where *hee found nothing but hurt and sicke men, whose paines and lives by the souldiers were both determined!!!*"—Pacata Hibernia, 659.

‡ 1594. "They also took Feagh's wife, Rhise, a woman of a manly courage and spirit above that of her sex, *who, for a terrour to others, was adjudged to be burnt;* but, by the queen's mercy, her life was spared."—Camden, 494.

§ 1600. "Many of the rebels offered to submit, which was the less regarded, because *it was known that even those that had not yet entered into rebellion, were hindered more by a sense of their danger, than their duty; and that they waited only for a safe opportunity to declare themselves.*"—Cox, 424.

the subject of this chapter, than as it displays the light value set upon human life in Ireland, even in the cabinet—less, undoubtedly, than men of humanity set upon the lives of favourite dogs, cats, parrots, or monkeys.*

Duly to estimate the ruthless barbarity which dictated this sanguinary plan, it would be necessary to ascertain the number of the victims thus devoted to destruction. It is not at all improbable that the bards, monks, friars, nuns, Jesuits, &c. &c. amounted to several thousands, who were thus, "at one fell swoop," to be hurled into eternity, by "marshal law." The recommendation is given with as much calmness and indifference, as if the question were about the extermination of a race of foxes and wolves.

* Sir John Perrot has been highly eulogized as an excellent deputy by various writers, and among others by Leland. How far he merited this commendation, will appear from the following item in the plan of government he drew up for Ireland, addressed and recommended to Queen Elizabeth.

"*That all brehons, carraghes, bardes, and rymers that infect the people, friars, monks, Jesuites, pardoners, nunns, and such like,* that openly seeke the maintenance of papacy, a traytorous kinde of people, the bellowes to blow the coals of all mischiefe and rebellion, and fit spies of anti-christ, whose kingdom they greedily expect to be restored, *be executed by marshal law, and their favourers and maintainers by due course of law, to be tryed and executed as in cases of treason.*"—PERROT, xxiv.

CHAPTER V.

Awful scenes of misery and wretchedness. Dreadful famine. Human carcasses devoured. Spencer's ruthless project for exterminating the natives by famine and pestilence.

"Famine so fierce, that what's deny'd man's use,
E'en deadly plants, and herbs of poisonous juice,
Wild Hunger eats: and to prolong our breath,
We greedily devour our certain death."—DRYDEN.

"Death, like a lazy master, stands aloof,
And leaves his work to the slow hands of Famine."—*Idem.*

THE preceding chapter presents a heartrending view of the barbarous system of warfare pursued against the Irish, and their dreadful sufferings during its continuance. I have reserved for the present very brief one, a sketch of the awful consequences of that system. Tremendous as were the former, they were incomparably exceeded by the latter. The world has never witnessed—nor indeed is it possible to conceive of more intense wretchedness and misery than were endured in Ireland, when furious War, wearied with slaughter, gave place to what was called Peace, particularly in Munster, after the Desmond war. To what a horrible extent must human suffering have gone, when, to appease the ravenous calls of hunger, a wretched people were driven to the dire necessity of feeding on grass and other herbage—when, worse, far worse, they devoured horses, dogs, dead carrion, and even human carcasses!—and, to cap the climax, when they lay in wait for and murdered children, to prolong their wretched existence!*

* "Because I have often made mention formerly, of *our destroying the rebels corn, and using all means to famish them*, let me now by two or three examples, shew the miserable estate to which they were thereby reduced.

"Some old women about the Newry, used to make a fire in the fields, and divers little children driving out the cattle in the cold mornings, and coming thither to warm themselves, *were by these women surprized, killed, and eaten;* which was at last discovered by a great girl, breaking from them by the strength of her body; and Captain Trevor sending out soldiers to know the truth, *they found the childrens' skulls and bones*, and apprehended the old women, who were executed for the fact. No spectacle was more frequent in the ditches of towns, and especially in wasted countries, than to see *multitudes of these poor people dead, with their mouths all coloured green by eating nettles, docks, and all things they could rend up above ground.*" —MORYSON, apud CURRY, I. 49.

"The miseries which the wretched Irish endured, from the vicinity of the royal forces, which prevented them from seeking any means of subsistence, were afflicting to the humanity even of their enemies. *Thousands perished by famine*; *and every road and district was encumbered by their unburied carcasses. The hideous resources sought for allaying the rage of hunger, were more terrible even than such desolation.*"—LELAND, II. 487.

"They performed that service effectually, and brought the rebels to so low a condition, that they *saw three children eating the entrails of their dead mother* upon whose flesh they had fed twenty days, and roasted it by a slow fire; and it

Surely, if there be "a chosen curse in the stores of heaven to blast" pre-eminent wickedness, it should have fallen "with uncommon wrath" on the wretches who produced such a hideous state of things.

It will be acknowledged, on a perusal of the preceding pages, that human nature never appeared under a more hideous aspect—no where did it approach nearer to the demoniac. Exulting fiends might regard with rapture the prowess of the Greys, the Mountjoys, the Wilmots, the St. Legers, &c., who fully proved themselves worthy of adoption among the tenants of Pandemonium. If any thing could enhance our abhorrence of their atrocious deeds, it would be the consideration of the pretexts on which those exterminating wars were declared, which, in nine cases out of ten, were of the most miserable and insignificant character. In almost every instance, moreover, the officers of the Irish government were obviously the wanton aggressors, and goaded the wretched Irish into a resistance, which was visited with such horrible chastisement.

was manifest, that *some older people had been in that starving condition, that they murdered and eat children for a long time together*, and were at last discovered and executed for that barbarity. In short, *the famine of Jerusalem did not exceed that amongst the rebels of Ireland*."—Cox, 449.

"And as for the great companies of soldiers, gallow-glasses, kerne, and the common people, who followed this rebellion, the numbers of them are infinite, *whose bloods the earth drank up, and whose carcasses the fowls of the air and the ravening beasts of the field did consume and devour*. After this followed *an extreme famine*: and such *whom the sword did not destroy, the same did consume and eat out*; very few or none remaining alive, excepting such as were fled over into England: and yet the store in the towns was far spent, and they in distress, albeit nothing like in comparison to them who lived at large; for *they were not only driven to eat horses, dogs, and dead carrions; but also did devour the carcasses of dead men*, whereof there be sundry examples; namely, one in the county of Cork, where, *when a malefactor was executed to death, and his body left upon the gallows, certain poor people did secretly come, took him down, and did eat him*; likewise in the bay of Smecreweeke, or St. Marieweeke, the place which was first seasoned with this rebellion, there happened to be a ship to be there lost, through foul weather, and all the men being drowned, were there cast on land.

"The common people, who had a long time lived on limpets, orewads, and such shell-fish as they could find, and which were now spent; *as soon as they saw these bodies, they took them up, and most greedily did eat and devoure them: and not long after, death and famine did eat and consume them*. The land itselfe, which before those wars was populous, well inhabited, and rich in all the good blessings of God, being plenteous of corne, full of cattell, well stored with fish and sundrie other good commodities, *is now become waste and barren, yielding no fruits, the pastures no cattell, the fields no corne, the aire no birds*, the seas, (though full of fish,) yet to them yielding nothing. Finallie, every waie the curse of God was so great, and *the land so barren both of man and beast*, that whosoever did travell from the one end to the other of all Munster, even from Waterford to the head of Smeerweeke, which is *about six score miles, he would not meet anie man woman or child*, saving in townes and cities; nor yet see anie beast, but the *very wolves, the foxes, and other like ravening beasts*; many of them laie dead, being famished, and the residue gone elsewhere."—Hollinshed, VI. 459.

"Suche horrible and lamentable spectacles there are to beholde, as the burninge of villages, the ruyn of churches, the *wastinge of suche as have ben good townes and castells: yea, the view of the bones and sculles of the ded subjectes, who partelie by murder, partelie by famyn, have died in the feelds, as, in troth, hardelie any Christian with drie eies could beholde*."—Sydney, I. 24.

1567. "Never sawe I a more waste and desolate lande, no, not in the confynes of other countries, where actuall warre hath contynuallie ben kepte, by the greatest

Moryson, having stated that the submissions of the Irish were at length received, informs his reader, that it took place "partly out of human commiseration, having with our own eyes daily seen the lamentable state of the country, where we found every where men dead of famine." He adds, "we have been credibly informed, that in the space of *a few months, there were above three thousand starved in Tyrone.*" —Morison, *apud* Curry, I. 50.

Although the facts contained in the following statement do not fall within the period embraced in the present division of this work, I am induced to give them a place here, in order to dismiss at once the details of the horrible sufferings of the Irish from the demoniac plan of extermination so often adopted by the English armies.

"About the year 1652 and 1653, the plague and famine had so swept away whole countries, that a man might travel twenty or thirty miles, and not see a living creature, either man, beast, or bird; they being either all dead, or had quit those desolate places; our soldiers would tell stories of the place where they saw a smoak; it was so rare to see either smoak by day, or fire, or candle by night. And when we did meet with two or three poor cabins, none but very aged men, with women and children, and those, with the prophet, might have complained, ('we are become as a bottle in the smoak, our skin is black like an oven, because of the terrible famine;') *I have seen those miserable creatures plucking stinking carrion out of a ditch, black and rotten*, and been credibly informed that *they digged corpse out of the grave to eat:* but the most tragical story I ever heard was from an officer commanding a party of horse, who, *hunting for tories in a dark night*, discovered a light, which they supposed to be a fire, which the tories usually made in those waste countries, to dress their provisions, and warm themselves; but drawing near, they found it a ruined cabin, and, besetting it round, some did alight, and peeping at the window, where they saw a great fire of wood, and a company of miserable old women and children sitting round about it, and betwixt them and the fire, *a dead corpse lay broiling, which as the fire roasted, they cut off collops, and eat! !*"—Laurence, 86.

The ferocity of soldiers hardened by a life of slaughter, and infuriated against their enemies on the field of battle, will admit of some degree of palliation. But what palliation can be offered for those who sit down calmly and frame projects of extermination by famine, and its concomitant the plague? Their guilt is of infinitely deeper dye.

It is melancholy to relate, and stamps the character of Spenser, the poet, with indelible disgrace, that after having been an eye witness of the Desmond war, in which the sword, famine, and pestilence devoured so large a portion of the population of the south of Ireland, and produced scenes of misery sufficient to mollify the heart of a Herod or a Nero, he was ferocious enough to advise a recurrence to the destruction of the fruits of the earth, for the purpose of producing another famine, in order to force them, "*quietly to consume themselves, and devour one another!*"*

princes of Christendomme, and there herde I suche *lamentable cryes and dolefull complayntes, made by that small remayne of poor people which yet are lefte*" —Sydney, I. 24.

* He proposed that twenty days should be allowed for them to come in. "Afterward I would have none received, but left to their fortune and miserable end: my reason is, for that those which will afterwards remaine without, are stout and obstinate rebells, such as will never be made dutiful and obedient, nor brought to labour or civill conversation, having once tasted that licentious life, and being acquainted with spoyle and outrages, will ever after be ready for the like occasions, so as there is no hope of their amendment or recovery, and therefore needfull to be cut off.

"The end will, (I assure me,) bee very short, and much sooner than it can be in so great a trouble, as it seemeth, hoped for, although there should none of them fall

It is difficult to believe that such a diabolical plan could have entered the heart of a poet, whose soothing and tender strains have been the admiration of readers of taste, for above two centuries. It affords full proof, that a man may write like an angel, and yet possess the heart of a demon.

by the sword, nor bee slain by the souldiour: yet thus being *kept from manurance* and their cattle from running abroad, by this hard restraint, *they would quietly consume themselves, and devoure one another;* the proofe whereof I saw sufficiently in these late warres of Munster: for *notwithstanding that the same was a most rich and plentiful countrey,* full of corn and cattle, that you would have thought they should have been able to stand long, yet *in one yeare and a halfe they were brought to such wretchednesse, as that any stony heart would have rued the same. Out of every corner of the woods and glynnes they came creeping forth upon their handes, for their legges could not beare them; they looked like anatomies of death;* they spake like ghosts crying out of their graves; they *did eate the dead carrions, happy where they could find them, yea, and one another soone after, insomuch as the very carcasses they spared not to scrape out of their graves;* and if they found a plot of water-cresses or shamrocks, there they flocked as to a feast for the time; yet not able long to continue therewithall; that in short space there were none almost left, and *a most populous and plentiful country* SUDDAINLY LEFT VOYDE OF MAN AND BEAST."—Spenser, 165.

CHAPTER VI.

Baseness and perfidy. Adulteration of the coin. Queen Elizabeth a swindler. Sir John Perrot a kidnapper. Lord Mountjoy a mail robber. Deputy Grey a perfidious violater of his pledged faith. Six noblemen wickedly and treacherously hanged, drawn, and quartered. Skeffington wreaks his vengeance on the dead.

> "The wicked statesman with false heart pursues
> A train of guilt—and acts with double views—
> Maintains an agent on the judgment seat—
> To screen his crimes, and make his frauds complete."
>
> CHURCHILL.

It is painful, for the honour of human nature, to reflect on the baseness and perfidy which characterised a great proportion of the English officers in Ireland. In their intercourse with the natives, the ties of honour, honesty, and justice, were wholly disregarded. Among the guilty are many who stand high in the British annals, and are regarded as shedding lustre on their nation.

A remarkable feature attending some of these transactions, which is of very rare occurrence in history, is, that many of the governors, deputies, and other officers vested with authority in Ireland, were so lost to every sense of shame, that in various instances, they or their confidential friends or secretaries were the heralds of their own infamy, which they bequeathed to posterity with as little concern as if they were recording some glorious acts of heroism.

Sir John Perrot, among his Machiavelian advices to Queen Elizabeth, for the government of Ireland, was base enough to recommend a swindling project of adulterating the coin of Ireland, which she was profligate enough to adopt! He advised to coin 400,000 pounds, so far adulterated, that it should cost the queen only 100,000 pounds. And, strange as it may seem, he pretended seriously to believe that it would confer a lasting benefit on Ireland, and tend to the reformation and improvement of the country!*

His reasoning on the advantages to flow to Ireland from this piratical project is truly curious and highly worthy of the projector.†

* He proposed that there "be coyned yeerely, during the first four yeares, 100,000*l.* in pieces of 8*d.* 4*d.* 2*d.* and 1*d.* the same to containe but a fourth part of fine siluer, letting all coines that are currant there, of good gold and siluer, to run as now they doe: so your maiesties charge, besides all charges of coynage, will amount to no more but 25,000*l.* yeerely, which, by that time your maiesty with God's fauour should see, would bring you a fair reckoning of that countrey and gouernment." —PERROT, xiv.

† "As imbasing of coyne and such like dangerous innovations, may breed harme in well-gouerned states: so *in Ireland, being all out of order, it can doe no harme at all;* but rather it is to be hoped, that this small inconuenience may be *a meane to redresse not onely a number of other greater inconueniences, but also itselfe too withal in the end.*"—PERROT, xv.

Here is a scheme propounded by a viceroy, and carried into operation by his sovereign, which embraces as great a mass of fraud as the aggregate crimes of scores of criminals whose guilt has been expiated by the gallies, or the halter.

It is worthy of remark, that Queen Elizabeth, in the proclamation prohibiting the refusal of this base money,* under severe penalties, had the hardihood, in utter disregard to truth and common sense, to make a hypocritical parade of her honour and regard for justice,† while she was promulgating a swindling scheme for depredating on and plundering her poor subjects. The folly of attempting to deceive the world by such a hollow pretence, is almost as contemptible, as the fraud itself is detestable.

The lord deputy Sir John Perrot, sunk into the base character of a kidnapper. Being desirous of obtaining possession of O'Donnel, one of the most potent proprietors in Ulster, or his son, he despatched a crafty captain with a vessel laden with wine, to Donegal, to entrap the unsuspecting youth.‡ The vessel was reported as having arrived from Spain—and the young man being invited on board, accepted the invitation, with two of his companions. They were plied well with drink, and as soon as a favourable opportunity offered, were loaded with chains, when the captain set sail for Dublin, where he delivered his victims to the deputy, by whom they were perfidiously immured in prison, where they languished for many years; till at length, probably by bribing their keepers, they found means to escape.

A case of highway robbery, perpetrated by order of Lord Mountjoy, next demands attention.

Don Juan de Aquila, commander of a body of Spanish troops, which had invaded Ireland, had been defeated, and obliged to sign a capitulation, whereby he engaged to embark with his troops, and return to

* "Her majesty doth expressely charge and command, that they, nor any of them, shall not after the day of the publishing heereof, refuse, reject, or denie to receiue in payment of wages, fees, stipend, or in payment of debts, or in bargaine, or for any other matter of trade, commerce, or dealing betweene man and man, any of the said moneys of either kind, either mixed of siluer, or pure copper, but that they shall receiue and accept the same at such valucs and rates as they are coyned for, viz. shillings for shillings, pieces of six-pence for six-pence, and so of all other the severall kinds of that coyne respectiuely; denouncing hereby to all such as shall be found wilfully and obstinately to refuse the said moneys of this new standered being tendered unto them in payments, or in any dealings betweene partie and partie, that *they shall for that their contempt, receiue such punishment, as by her majesties prerogatiue royall may be inflicted upon persons contemning publique orders established for the universall good of that her realme!*"—Pacata Hibernia, 266.

† "Her highnesse, being a prince that in her gracious disposition, *doth ever affect to make all her actions cleare and allowable, in their owne nature*, rather than in the power of supreame authoritie, intending in this cause to giue to all persons such satisfaction as is reasonable."—*Pacata Hibernia*, 267.

‡ "The deputy sent one Skipper, a merchant of Dublin, with a shippe loaden with sacks, as if he had come out of Spain, directing him to runne up by Donagall, as farre as hee could unto O'Donnells country, where he should not only offer to sell at a cheape price, but be liberall in giving wine to such as should come aboard him. And that if O'Donnell or his sonne come aboard him by that meanes, (as he knew they would,) *hee should give them so much as might make them forget themselves, as being drunke should clap them under hatch, and bring them away to Dublin.* This device was as carefully performed as projected, young O'Donnell being by this meanes surprized and brought away."—Perrot, 129.

his own country. While he remained at Cork, preparing for embarkation, a Spanish pinnace arrived with despatches from his government. The president hired a wretch of the name of Nuce, whom he directed to select as many ruffians as he chose, fit for such a service; to attack the messenger; rob him of his despatches; and bind him to prevent a pursuit.

Nuce faithfully performed the service, and brought the despatches to the deputy, with whom Don Juan was to dine that day. The messenger being released, came and related his misfortune to Don Juan, who complained to the deputy, requesting him to make inquiry respecting the letters, of the president, whom it appears he suspected of being the instigator of the robbery. The deputy promised compliance with the request, but endeavoured to persuade him that the crime was committed by some of the Irish for the purpose of deriving advantage from a display of the letters. Next day, he assured the Spaniard that the President had not the despatches, which, by the way, he himself had at that moment in his possession.*

Here is a revolting tissue of fraud and falsehood, at which a man of honour would have shuddered. It realized the fable of the two thieves and the butcher. The president stole the letters—*qui facit per alium*

* "A Spanish pinnace landed in the westermost part of the province, and in her, there was a messenger sent from the king to Don Juan de Aquila, with a packet of letters. The president having knowledge thereof, told the lord deputie, that if he had a desire to know the king of Spaine's intentions, there was a good occasion offered. The lord deputies heart itching to have the letters in his hands, prayed the president to intercept them, if hee could hansomely doe it; the president undertooke it, and having notice that the next morning the messenger would come from Kinsale to Corke, and knowing that there were but two wayes by which hee might passe, called Captaine William Nuce unto him, (who commanded his foote company,) to make choise of such men as hee could trust to lie upon those passages, and when they saw such a Spaniard, (whom hee had described unto him,) to seaze upon him, and *as thieues to rob him both of his letters, horses, and money*, not to hurt his person, but to leaue him and his guid bound, that hee might make no swift pursuit after them; and when they had delivered him the letters, to runne away. Captaine Nuce so well followed his instructions, as the Spaniard was taken in a little wood, and the letters brought at dinner time; (Don Juan, if I doe not mistake, that very day dyning with him,) who instantly carried them to the lord deputie, where, at good leasure, the packets were opened and read; which done the president went to his house, leaving the letters with the lord deputie. The same evening, the Spanish messenger having beene unbound by passengers, came to Don Juan de Aquila, relating his misfortune, in being robbed not five miles from the towne: Don Juan de Aquila went immediately to the lord deputy, grievously complayning that the messenger was robbed by souldiers; (as he alleaged;) the lord deputie *seemed not lesse sorry*, but, (said he,) it is a common thing in all armies to have debaucht souldiers; but *hee thought it to bee rather done by some of the country thieues;* but if the fact was committed by souldiers, it *was most like to bee done by some Irishmen*, who thought it to bee a good purchase, (as well as the money,) to get the letters, to show them unto their friends in rebellion, that they might the better understand in what estate they were in. Don Juan not being satisfied with this answer, desired the lord deputie to enquire of the lord president, (*for of his intercepting of them he had a vehement suspition*,) whether hee had any knowledge of the matter, and so they departed. The next morning the lord deputie related to the president the complaint and his answers: Don Juan eager in the pursuite of his letters, came to know of the lord deputie what the president answered: *The lord deputie answered him upon his fayth, that hee was sure that the president had them not; which hee might well doe, for they were in his owne possession.*"—Pacata Hibernia, 473.

facit per se—the deputy had them. The former, therefore, could swear with a clear conscience, that he had them not, and the latter that he had not stolen them!

In order to delude the Spaniard, and to screen themselves from the disgrace of such a base action, they issued a proclamation, offering a reward for the discovery of the robbers.

To the falsehoods above stated, another was added. When the Spaniards were nearly all embarked, the day before the departure of Don Juan, the lord deputy showed him a copy of the letters, which, he said, had been sent to him from Ulster, by a priest who was his spy about Tyrone, to whom they had been forwarded by the robbers. —*Pacata Hibernia*, 473.

But the case I have now to record is as far more base, as murder is more criminal than robbery. Six Irish noblemen of English extraction, were hanged, drawn, and quartered, by a perfidious violation of faith, at which a renegado Moor might feel ashamed. Fitzgerald, Earl of Kildare, had been, like so many others of the Irish nobility, goaded into resistance, and had defended himself with so much skill and bravery, that the English had no hopes of conquering him in the field—and therefore assailing him by treachery, the unsuspecting earl fell a victim to his reliance upon the perfidious deputy, who sent a herald to invite him to a conference, with hostages for his safety in coming and returning.* He accordingly went to the deputy, by whom he was

* "With Fitzgirald, Sir William Brereton skirmished so fiercelie, as both the sides were rather for the great slaughter disadvantaged, than either part by anie great victorie furthered. Master Brereton, therefore perceiving that rough nets were not the fittest to take such peart birds, gave his advise to the lord deputie to grow with Fitzgerald by faire means to some reasonable composition. The deputy liking of the motion, craved a parlée, sending certaine of the English as hostages to Thomas his campe, with a protection directed unto him, to come and go at will and pleasure. Being upon this securitie in conference with the Lord Greie, he was persuaded to submit himselfe to the king his mercie, *with the governours faithfull and undoubted promise that he should be pardoned upon his repaire into England.* And to the end that no treacherie might have beene misdeemed of either side, they *both received the sacrament openlie in the campe*, as an infallible seale of the covenants and conditions of either part agreed!

"Hereupon Thomas Fitzgerald, sore against the willes of his councellors, dismist his armie, and rode with the deputie to Dublin, where he made short abode, when he sailed to England with the favourable letters of the governour and the councell. And as he would have taken his journeie to Windsore, where the court laie, he was intercepted contrarie to his expectation in London waie, and conveied without halt to the tower! And before his imprisonment was bruted, letters were posted into Ireland, streictlie commanding the deputie upon sight of them, to apprehend Thomas Fitzgirald his uncles, and to see them with all speed convenient shipt into England, which the lord deputie did not slacke. *For having feasted three of the gentlemen at Kilmainan*, immediatelie after their banket, (as it is now and then seen that sweet meat will have sowre sauce,) *he caused them to be manacled, and led as prisoners to the castell of Dublin!* and the other two were so roundlie snatcht up in villages hard by, as they sooner felt their own captivitie, than they had notice of their brethren's calamitie! The next wind that served into England, these five brethren were embarked, to wit, James Fitzgerald, Walter Fitzgerald, Oliver Fitzgerald, John Fitzgerald and Richard Fitzgerald. *Three of these gentlemen, James, Walter, and Richard, were knowne to have crossed their nephue Thomas to their power in his rebellion, and therefore were not occasioned to misdoubt anie danger!!!!* But such as in those daies were enemies to the house, incensed the king so sore against it, persuading him, that he should never conquer Ireland, as long as anie Geraldine breathed in the countrie: as for making the pathwaie smooth, *he was*

persuaded to sail for England, under a pledge that he would be pardoned for the insurrection; but immediately upon his arrival in that country, he was apprehended and thrown into prison. Henry VIII. sent orders to Lord Grey to entrap his uncles before the news of his imprisonment had put them on their guard. The deputy accordingly invited them to a feast. Three of them went, and as soon as it was over, were perfidiously seized, fettered, and put into confinement. Of the other two he possessed himself by some stratagem, and then despatched the whole five to England, where, with their nephew, they were hanged, drawn, and quartered, to the eternal disgrace of Henry and his treacherous deputy. Could any thing add to the atrocious villany of this transaction, it would be that the uncles were wholly unconnected with the nephew in his resistance to the government, and that *three of them had opposed him, and used their utmost endeavours to induce him to remain at peace!*

In the case of M'Mahon, one of the Ulster chiefs, was displayed an equal degree of baseness and cruelty, to which was added a barefaced robbery. On the decease of his brother without issue, he applied to the deputy Fitzwilliam, to be put in possession of the estate, promising a bribe to induce compliance. The deputy engaged to gratify him—and for that purpose went with him to the county of Monaghan, where the estate lay. But the bribe not being paid, Fitzwilliam had him tried for an act said to have been committed two years before, an act which had been customary in Ireland, and not regarded as criminal —but which had been recently rendered a capital offence by a law, not then in force in the unhappy man's country.*

resolued to lop off as well the good and sound grapes as the wild and fruitlesse beries; whereby appeareth how dangerous it is to be a rub, when a king is disposed to sweepe an allie."—Hollinshed, VI. 302.

"Thomas Fitzgerald the third of February, and these five brethren his uncles, were drawne, hanged, and quartered at Tiburne, which was incontilentlie bruted as well in England and Ireland, as in foren soiles."—*Idem*, 303.

* "As if the secret fire of disaffection were not sufficiently kindled in the northern province, Fitzwilliam by his intemperate conduct seemed to court every occasion of inflaming it. Mac-Mahon, chieftain of the district called Monaghan, had surrendered his country held by tanestry to the queen, and received a regrant thereof, under the broad seal of England, to him and his heirs male, and in default of such heirs, to his brother Hugh. As he died without issue, this brother petitioned to be admitted to his inheritance. He is said to have promised a considerable bribe in order to facilitate his suit: and to his failure of payment it was imputed, that he was for some days imprisoned, on his arrival at Dublin. Fitzwilliam, however, was prevailed upon to promise that he would settle him in peaceable possession of his inheritance, and for this purpose that he meant to go in person into Monaghan. But scarcely had he arrived thither, when he eagerly received a new accusation against Hugh, that two years before, he had entered hostilely into a neighbouring district, to recover some rent due to him, by force of arms. In the unreformed parts of Ireland, such actions were common and unnoticed; but the English law declared them treasonable. *The unhappy Mac-Mahon, for an offence committed before the law which declared it capital had been established in his country, was tried, condemned by a jury, said to be formed of private soldiers, and executed in two days;* to the utter consternation of his countrymen. His estate was distributed to Sir Henry Bagnal and other adventurers, together with four of the old Irish sept."—Leland, II. 384.

"The condemnation of this chieftain confirmed the Irish in their aversion to English polity, which they considered as a system of hateful tyranny and cruelty. They combined in a resolution of opposing the admission of sheriffs, and other officers of justice, into their respective counties. When Fitzwilliam intimated to

The jury was composed of common soldiers, and M'Mahon was of course found guilty, and hanged. His offence was recovering rent due him by force of arms! His estate was parcelled out among Sir Henry Bagnell and some other rapacious adventurers, except a portion allotted for some of his sept, who bribed the deputy to favour them with a share of the unholy plunder.

There is a peculiar degree of baseness and cruelty in the treatment of Walter De La Hide and his lady, by the deputy, Skeffington. Their son had taken up arms against the government, on what ground is not stated—and in consequence they were unjustly and wickedly seized, and thrown into prison, because the "governor *suspected*" the son was "set on by his mother!" They were held in duress for "twelve months," and repeatedly examined. Notwithstanding all the "presumptions and surmises," they "were in the end found guiltless." The lady was basely and perfidiously tampered with, to induce her to accuse her husband of being an accomplice in the crime, with a view of attainting him, and confiscating his estate. These vile and insidious practices being found ineffectual, she was threatened with the rack, or to be put to death, to force her to compliance. Possibly, and indeed not improbably, she was actually racked. Be this as it may, she died in the castle—and was for a time denied interment, on the ground that the mother of such a traitor ought rather to be cast on a dunghill as food for ravens and dogs, than to have Christian burial!*

Who can read such atrocious and heart-rending stories without venting

"Curses not only deep but loud,"

on the unhallowed fiends who perpetrated them! After every means that could be devised by force or fraud to attach guilt to father or

the chieftain of Fermanagh that he intended to send a sheriff into his district, Mac-Guire answered with a well-affected simplicity—'Your sheriff shall be welcome: but let me know his erick, that if my people should cut off his head, I may levy it upon the country.'"—LELAND, II. 385.

* "Sir Walter De La Hide, knight, and his wife, the lady Gennet Eustace, were apprehended, and brought as prisoners, by master Brabson, vice-treasurer, from their town of Moiclare, to the castle of Dublin, *because their son and heir, James De La Hide, was the only brewer of all this rebellion;* who, as the governor *suspected!* was set on by his parents, and namelie by his mother. The knight and his wife, lying in duress for the space of twelve months, were at several times examined; and notwithstanding all presumptions and surmises that could be gathered, *they were in the end found guiltless of their son his folly.* But the lady was had in examination apart, and *enticed by means to charge her husband with her son his rebellion*, who being not won thereto, with all the means that could be wrought, *was mēnaced to be put to death, or* TO BE RACK'T, and so with extremity to be compelled, whereas with gentleness she could not be allured, to acknowledge these apparent treasons, that neither her husband nor she could, without great show of impudence, deny.

"The gentlewoman, *with these continual storms heart-broken, deceased in the castle:* from thence her body was removed unto the Gray friars, with the deputy his commandment, that *it should not be interred, until his pleasure were further known;* adding withal, that *the carcase of one who was the mother of so arrant an arch-traitor, ought rather to be cast out on a dunghill, to be carrion for ravens and dogs to gnaw upon, than to be laid in any Christian grave!!* The corpse lying four or five days in this plight, at the request of the lady Gennet Golding, wife to Sir John White, the governor licensed that it should be buried."—HOOKER, apud HOLLINSHED, VI. 302.

mother, or to force the wife to bear false witness against her husband —and after her soul has taken its flight from this wicked world, her implacable tormentor vents his satanical malice against her lifeless corpse! Were this hideous story narrated by an enemy, it would be disbelieved, and utterly discarded as an atrocious calumny. But it stands recorded in never-dying strains by the historian of the perpetrator.

It would be endless to detail all the base and profligate tricks to which the government had recourse. Here follows one practised by Carew, president of Munster, to circumvent John Fitz-Thomas, brother to the Earl of Desmond. Carew had corrupted Dermond O'Connor, an Irish nobleman. To this traitor he gave a letter written in his name, and addressed to Fitz-Thomas, which O'Connor was to use on a proper occasion, under the pretence that it had been intercepted. The letter was written with great address, and fraught with commendations of Fitz-Thomas, for expiating his offences by treachery towards his countrymen. It answered the end proposed, and enabled Carew to triumph over the confederate Irish, among whom it spread distrust and dismay!*

The baron of Lixnau having died, his son Thomas applied to the president, George Carew, for his favour and the protection of the queen, in order to gain possession of his inheritance. Both were promised him, on condition, that he "did some service, which might entitle him to them." The kind of service expected, may be satisfactorily ascertained by a passage in the Pacata Hibernia, wherein this application is

* *The Lord President's Letter to James Fitz-Thomas.*

"Sir—Your last letters I haue receiued, and am exceeding glad to see your constant resolution of returne to subjection, and to leaue the rebellious courses, wherein you haue long persevered: you may rest assured that promises shall bee kept; and you shall no sooner bring Dermond O'Connor to me aliue or dead, and banish his bownoghs out of the countrie, but that you shall haue your demand satisfied, which I thanke God, I am both able and willing to performe; beleeue me, *you haue no better way to recover your desperate estate, than by this good service which you haue proffered; and therefore I cannot but commend your judgement, in choosing the same to redeeme your former faults.* And I doe the rather beleeue the performance of it, by your late action touching Loghguire, wherein your brother and yourselfe haue well merited; and as I promised, you shall finde mee so just as no creature living shall ever know, that either of you did assent to the surrender of it; all your letters I haue receiued, as also the joynt letter, from your brother and yourselfe; I pray loose no time, for delayes in great actions are subject to many dangers. Now that the queenes armie is in the field, you may worke your determination with most securitie, being ready to releeue you upon a dayes warning; so praying God to assist you in this meritorious enterprize, I doe leaue you to his protection, this twentie nineth of May 1600."

"This letter was sent to Dermond O'Connor, which when time should serue, *hee might shew as intercepted by him!* and therefore what he did, was imposed upon him by necessitie, except he would suffer himselfe, wittingly and willingly to be betraied."—*Pacata Hibernia*, 93.

"Then Dermond O'Connor layed hold upon James Fitz-Thomas and said, my lord you are in hand; in hand, (answered he,) for whom or for what cause? I haue taken you for O'Neale, saith he; and I purpose to detaine you, untill I bee certified of his pleasure; for yourselfe haue combined with the English, and promised to the president to deliver me, either aliue or dead into his hands; and for proofe thereof behold, (saith he,) letters which were intercepted and brought to mee, (under the president's hand,) to confirme the same; and therewithall produced them."—*Idem*, 98.

stated. "It was thought no ill policy to *make the Irish draw blood upon one another, whereby their private quarrels might advance the public service.*"† But the high-minded nobleman scorned to acquire, by the murder of his countrymen, possession of an estate which of right belonged to him—and therefore "absolutely refused, because, forsooth, it stood not with his conscience nor his honour—for these were his own words in a letter that he wrote to my Lord of Thomond." —*Pacata Hibernia*, 136.

These scrupules which would have elevated him in the eyes of a man of justice or honour, could not be duly appreciated by the sordid soul of the president; and thus were destroyed all his hopes of the inheritance: for "upon this answer the president rejected both the man and his suit!"—*Ibid.*

It is impossible for any man of rectitude, to read this account without abhorrence and contempt of the profligate president, and admiration of the magnanimous sufferer. The former, lost to every sense of honour and justice, imposes, as a task on the latter, for the attainment of his inheritance, the perpetration of murder—and because he will not comply with the infamous terms, plunders him of his patrimony. The latter, with the soul of a Roman, scorns the temptation and the tempter, and dooms himself to honourable poverty, rather than pollute himself with the commission of such a crime.

A detestable feature of the warfare carried on by the English officers, was to hire bravoes and assassins to betray or murder* such of the Irish

* "Carew descended to still more dishonourable practices. One Nugent, a servant of Sir Thomas Norris, had deserted to the rebels, and by the alacrity of his services acquired their confidence. In a repenting mood he submitted to the president, and to purchase his pardon, promised to destroy either the titular earl or his brother John. As *a plot was already laid against the former!* and as his death could only serve to raise up new competitors for his title, *the bravo was directed to proceed against John!* He seized his opportunity, and attempted to dispatch him; but as his pistol was just levelled, he was seized, condemned to die, and at his execution confessed his design; declaring that many others had sworn to the lord president to effect what he intended."—Leland, II. 464.

"Nugent in his examination freely confessed his whole intent, which was, (as hee then said,) to haue dispatched John Fitz-Thomas, and immediately to haue poasted unto the Sugan Earle, to carry the first news thereof, intending to call him aside, in secret manner to relate him the particulars of his brother's murther, and then to execute as much upon him also: adding, moreover, that although they take away his life, (which he would not entreat them to spare,) yet was their owne safetie never the more assured: for there were many others, which himselfe perfectly knew to haue solemnly sworne unto the president to effect as much as he intended. This confession being sealed with his death, did strike such a fearefull terrour into the two brethren, that James Fitz-Thomas himselfe afterwards, unto the president acknowledged, *they never durst lodge together in one place, or even serue in the heads of their troopes, for feare to be shot by some of their owne men.*"—Pacata Hibernia, 83.

"He proclaymed Courcye traytour, and hyred sundry gentlemen with rewards, to bring him in quicke or dead: so long hee wooed the matter, that *Courcyes own captaines were inveygled to betray their lord!* Therefore upon Good Friday, when the earle did off his armour, and in secret meditations visited religious places barefooted, they layde for him, tooke him as a rebell, and shipped him into England the next way, where he was adjudged to perpetuall prison. Sentleger addeth in his collections that Lacy payd the traitors their money, and then immediately hanged them!"—Campion, 107.

† Pacata Hibernia, 650.

THE PROPERTY OF THE NEW-YORK ATHENÆUM.

as were too formidable to be overcome by force of arms. War, in its best regulated state, is a most tremendous evil. In Ireland its horrors were increased tenfold by the unbounded sway of all the vilest passions, that disgrace, degrade, and brutalize human nature.

Even under the semblance of treaties of peace, and at the festal board, the Irish were not unfrequently perfidiously butchered.*

Let it be observed, that both the facts stated in the subjoined note are derived by Leland from the Irish annals, and therefore may appear somewhat of a departure from my plan of relying almost altogether on English authority. But the reason assigned by the reverend author, cannot fail to justify the departure. And moreover, the second fact is fully corroborated by Captain Lee, an English officer, in the service of Elizabeth, as may be seen, supra, page 40.

* "The Irish manuscript annals of this reign, (Elizabeth's) mention a very dishonourable transaction of Essex on his return to Ulster. It is here given in a literal translation from the Irish, with which the author was favoured by Mr. O'Connor. 'Anno 1574. A solemn peace and concord was made between the Earl of Essex and Felim O'Nial. However, at a feast wherein the Earl entertained that chieftain, and at *the end of their good cheer, O'Nial with his wife were seized, their friends who attended were put to the sword before their faces. Felim, together with his wife and brother, were conveyed to Dublin, where they were cut up in quarters.*' This execution gave universal discontent and horror.

"In like manner, these annals assure us, that a few years after, the Irish chieftains of the King's and Queen's county were invited by the English to a treaty of accommodation. But *when they arrived at the place of conference, they were instantly surrounded by troops, and all butchered on the spot.*—Such relations would be more suspicious, if these annals in general expressed great virulence against the English and their government. But they do not appear to differ essentially from the printed historics, except in the minuteness with which they record the local transactions and adventures of the Irish: and sometimes they expressly condemn their countrymen, for their rebellions against their prince."—LELAND, II. 312.

CHAPTER VII.

Representation in parliament. Barefaced fraud, venality, and corruption of the executive, legislature, and judiciary.

"Justice is lame, as well as blind among us;
The laws, corrupted to *their* ends that make them,
Serve but for instruments of some new tyranny,
That every day starts up among us."—OTWAY.

"This is a wretched state
Where all agree to spoil the public good."—*Idem.*

AMONG the grievances under which the Irish groaned for centuries, the frauds and corruption perpetrated in packing parliaments, held a most conspicuous place—in fact, they might be said to be the source of the larger portion of the great mass of the misery of that unfortunate country. Under a parliament correctly constituted, the voice of the nation would have had its due share of influence, and it would have been impossible to have passed the various laws, particularly those of attainder, enacted in that country, which outraged every principle of reason and justice, or to have prosecuted that system of depredation and slaughter of which the preceding pages furnish a faint outline. Under parliamentary sanction, acts of rapine and violence have been carried into undisturbed operation, which would probably have been defeated, had they come forward in the naked form of executive mandates.

Parliaments were rarely held in Ireland* but to answer some sinister purpose of the deputies—principally to attaint some of the nobility or gentry.† The grand object of the Irish administration was to have a majority in parliament, devoted to the support of their measures, and pliant tools and ministers of their will. In this wicked purpose, they were almost universally crowned with success.

* From the twenty-ninth year of Elizabeth, anno 1587, to the fifteenth of Charles I. anno 1639, embracing a period of 52 years, there were but two Parliaments held in Ireland;—one in 1613, under James I.; and the other in 1634–5, under Charles I.‡ Thus were the powers of the legislature wholly suspended, in one instance, for twenty-six, and in another for twenty-one years.

† "For to what end was the parliament holden by the lord Leonard Gray in 28 H. VIII. but to *attaint the Giraldines*, and to abolish the usurped authority of the pope?

"To what purpose did Thomas, earl of Sussex, hold his first parliament in the 3d and 4th king Philip and queen Mary, but to settle Leix and Offaly in the crown?

"What was the principal cause that Sir Henry Sydney held a parliament in the 11th year of queen Elizabeth, but *to extinguish the name of O'Neal, and entitle the crown to the greatest part of Ulster?*

"And lastly, what was the chief motive of the last parliament holden by Sir John Perrot, but *the attainder of two great peers of this realm, the viscount Baltinglas, and the earl of Desmond, and for vesting of their lands and the lands of their adherents*, in the actual possession of the crown? !!!"—DAVIES, 300.

‡ Mountmorres, II. 175.

No fraud was too base to be employed for the accomplishment of this object. Recourse was had to the most barefaced violations of the rights of election. To the different counties the deputies sent the names of persons of whose support they were assured, and whom they were determined to have elected. And every means afforded by address, art, intrigue, or corruption was employed to insure them success. When these means failed, as in the counties they sometimes did, open violence was used. In aid of all these resources, when necessary, new boroughs were created in shabby and contemptible hamlets, where government was certain of having its minions, (I was about to say, elected—but that would be a prostitution of the term,) smuggled into parliament, to oppress and depredate on the nation, thus mocked and deluded with a pretended representation.

I shall notice here only two parliaments, both convened under Elizabeth, as the fraudulent and corrupt practises employed in the elections for them, are more distinctly marked by the historians, than those in preceding cases. The first sat in 1560, during the administration of Lord Sussex—the other in 1568, under Sir Henry Sydney.

There were twenty counties subject to England in the former period. To only ten of these counties were writs issued, Dublin, Meath, Westmeath, Lowth, Kildare, Catherlow, Kilkenny, Waterford, Tipperary, and Wexford.* Cork, Kerry, Limerick, Cavan, Clare, Antrim, Ardee, Down, and King's and Queen's counties, containing probably half the entire population of the kingdom, at all events, far more than half of the Irish subjects of England, were wholly unrepresented, and of course disfranchised.

Besides the twenty representatives from the counties, there were fifty-six from those boroughs in which the *royal authority predominated.* The other boroughs shared the fate of disfranchisement in common with the ten counties.

Here is a stupendous system of fraud, which every man, with a spark of honour or justice in his composition, however hostile to Ireland or Irishmen, must pronounce infamous. The disfranchisement of so large a portion of the nation would have warranted a general insurrection. The pleas for the revolution in 1688, bore no more comparison to this grievance, than the river Liffey to the German Ocean. Laws made by a parliament thus wickedly constituted, were not obligatory on the nation, and, under an independent judiciary, would have been declared null and void.

This parliament was thus profligately packed for the purpose of establishing the Protestant, and proscribing the Catholic religion. The details of the act for this purpose, are reserved for the succeeding chapter.

In the elections for the parliament held in 1568, the most manifest injustice prevailed, though of a different character. To pass over mi-

* "In the House of Commons, we find representatives summoned for ten counties only. The rest which made up the number seventy-six, were citizens and burgesses of those towns in which *the royal authority was predominant.* It is therefore little wonder, that, in spite of clamour and opposition, in a session of a few weeks, the whole ecclesiastical system of Queen Mary was entirely reversed by a series of statutes conformable to those already enacted in the English legislature."—Leland, II. 272.

nor enormities, and condense the subject into the narrowest compass possible, I confine myself to three species of flagrant fraud:—

I. Many persons were returned for places not incorporated, and which of course had no right to representation.

II. In several of the places entitled to send representatives, the sheriffs and mayors returned themselves.

III. A swarm of Englishmen were returned for places which some of them knew not, and of which none of them were residents, although residence was, by law, an essential requisite in a representative.

In consequence of these frauds, the administration had a considerable majority in the house of commons, who elected Mr. Stanihurst, recorder of Dublin, their speaker, although Sir Christopher Barnwell had a large majority of the votes of the real members, those who were duly elected. For a considerable time, the latter disputed the validity of the votes of the intruding impostors, which gave rise to the utmost disorder, and contests that would have better suited with a bear-garden than a parliament.* Hooker, one of the impudent intruders, has left on record a circumstantial account of the affair; and, as the leader of the usurpers, endeavours to attach the guilt of the dishonourable proceeding to the members duly returned.† But it is impossible to read even his account, varnished as it is with false glosses, without being satisfied that the crime rested on him and his accomplices. As well might a band of ruffians or burglars, forcing themselves into a man's house, with a view to robbery or murder, charge the owner, who endeavoured to save himself, his family, and property, with the crime of the affray, and with all its consequences, if bloodshed ensued, as a riotous rabble of strangers, who, in violation not merely of honour and justice, but of the express law of the land,‡ had polluted the sanctuary

* "And in this matter they showed themselves very forward, and so unquiet that it was more like a bear-baiting of disorderly persons, than a parliament of wise and grave men."—Hooker, apud Hollinshed, VI. 344.

† "The next daie following, being Friday, the lower house met: and, contrary to the order of that house, and duty of that company, instead of unity, there began a disunion; and for concord, discord was received. For all, or the most part of the knights and burgesses of the English pale, especially they, who dwelled within the counties of Meath and Dublin, who, *seeing a great number of Englishmen to have place in that house*, began to except against that assembly as not good, nor warranted by law. Their avantparler was sir Christopher Barnwell, knight; who being somewhat learned, his credit was so much the more, and by them thought meetest and worthy to have been the speaker of that house: and he, being the spokesman, alleged three special causes, why he and his complices would not yield their consents.

"The first was, because that there were certain burgesses *returned for sundry towns which were not corporate, and had no voice in the parliament.*

"The second was, that *certain sheriffs, and certain mayors of towns corporate, had returned themselves.*

"The third and chiefest was, that a number of Englishmen were returned to be burgesses of *such towns and corporations as which some of them never knew, and none at all were residing and dwelling in the same, according as by the law is required.*"—Hollinshed, VI. 342.

‡ *Extract from an act passed anno* 1541, *the* 33*d of Henry VIII.*

"Provided, and be it enacted by the authority of the present parliament, that *from henceforth everie knight, citizen, and burgess, for everie parliament hereafter within this realm of Ireland to be summoned, appointed, or holden, shall be*

of legislation by a forcible entry, could make the legal representatives of the nation responsible for their crime.

The proceedings of the legislature being impeded by these violent contests, it was agreed to refer the matter in dispute to the judges. This afforded but a miserable chance of redress for the Irish nation, as these functionaries were removable at the pleasure of the crown, and of course subservient to its views. However, the profligacy of the proceedings was fully established; for the judges, biassed as they were, admitted the existence of the three enormous frauds alleged by the minority.* They decided that two of the classes of usurpers should be expelled the parliament,—

I. Those who were retured for towns not incorporated;

II. Those magistrates who had returned themselves.

But they most wickedly ordered, that those who were returned for towns where they did not reside, should retain their seats; and that the penalty of the false, illegal returns should be paid by the sheriffs.

The third class being more numerous than the other two, and being secured in their usurpation by this iniquitous decision, the government still possessed a majority; and was of course enabled to carry whatever measures it thought proper; and thus a few needy and dependent Englishmen, who probably had not an acre of land in the island, were virtually its legislators!

What a shameful prostitution of the dignity of the bench! What an unanswerable proof, that venality and corruption had spread throughout every department of the state, poisoned all the sources of justice, and that all were leagued in the grand work of oppressing the wretched Irish! A law, founded in reason, common sense, justice, and honesty, passed only twenty-seven years before, had ordained, under a heavy penalty, that every borough, or town, or city, should be represented by a resident, who would know its situation, feel its wants, plead its cause, rise with its prosperity, and sink with its fall. A horde of

resident and dwelling within the counties, cities, and townes, chosen and elected by the greater number of the inhabitants of the said counties, cities, and townes, being present at the said election, by virtue of the king's writs for that intent addressed, and also the said knights to be elected and chosen in manner and forme before rehearsed. And every electour of the said knights to dispend and have lands and tenements of estate of freehold within the said counties, at the least to the yearly value of fortie shillings over and above all charges; and every of the inhabitants aforesaid choosing or electing in any other manner than as before is mentioned, to forfeit an hundred shillings. And every sheriff or other officer returning any knight, citizen, or burgess, chosen or elected in any other maner than as is before expressed, *to forfeit an hundred pounds* to be had and recovered as before is specified. And *every knight, citizen, and burgess taking upon him or them to be knight, citizen, or burgess and not chosen nor elected in manner and forme as is before mentioned, to forfeit an hundred pounds,* to be forfeited, recovered and taken in manner and forme before rehearsed."—*Statutes,* 159.

* The judges, having "discoursed and conferred of this matter, returned their answers; that concerning the first and second exceptions, that the burgesses returned from towns not corporate, and for such sheriffs, mayors, and sovereigns, as have returned themselves, shall be dismissed out of the same; but as for such others as the sheriffs and mayors had returned, *they should remain, and the penalty to rest upon the sheriffs for their wrong returnes.*"—Hollinshed, VI. 343.

"The same was so stomached, that the *placing of the Englishmen, to be knights and burgesses,* could not be digested, as did appear in the sequel of that assembly, where every bill furthered by the English gentlemen, was stopped and hindered by them."—*Ibid.*

hungry Englishmen are nevertheless returned to represent places they never saw: a profligate parliament applies to a prostitute bench, to decide the question whether a remedy shall be applied to this illegal proceeding: it decides that these intruders and usurpers shall maintain their seats, but that those who returned them shall pay the penalty of the infraction of the law! What solemn mockery! Suppose a fine of one hundred thousand pounds were laid on those officers, which would go in the treasury,—suppose they were imprisoned for life,—even suppose they were hanged, drawn and quartered; what compensation would be afforded to the towns robbed of their representation, or to the nation cheated with such a fraudulent legislature?

These procedings, and the opinion of the judges, afford an ample field for consideration. They exhibit a strong feature of the hideous oppression which their rulers exercised over the ill-fated Irish. Let us apply this case to this side of the Atlantic. Let us suppose that the sheriff of Philadelphia city, instead of allowing the citizens to vote for two members of congress, were to elect himself and his deputy; that Frankford, and Bustleton, and Holmesburg, and Chester, and Darby, and Marcus Hook, and Point-no-Point were to send each two members to congress; and finally, that a host of newly-arrived citizens of Kentucky should be chosen to represent some of our towns or counties, which they had never seen. This would be a case exactly in point. This "blessed condition of peace and security" would make "the swords of our citizens leap from their scabbards," to avail myself of the heroics of my countrymen, Burke.

House of Lords.

Against the corruption and profligacy of the house of commons, the house of lords might have afforded some security: but here the wicked arts of the government triumphed, and equally trampled under foot every principle of honour, honesty, and justice. In every potion calculated to heal the wounds or alleviate the distresses of Ireland, there was always infused a deleterious drug, whose admixture transformed it into poison. To secure a majority in the upper house, Irish titles were granted to English noblemen, destitute of a single acre of land in Ireland. They never appeared in parliament; but confided their proxies to the minions of the government,—three, four, or five, to one peer.* Thus six of these men of straw, not owning all together a single acre in Ireland, could outvote the Duke of Ormond, and the Earls of Kildare, Castlehaven, Clanrickarde, and Fingal, who, united, possessed probably above a million!

The parliament that sat in 1568, was packed for the purpose of attainting Shane O'Nial, and confiscating his princely estates. The act passed for that purpose, affords the most pregnant proof of the corruption of that body, and what a solemn mockery it was to style it an Irish parliament. To this title the majority had little more claim than the common council of London—and it would be almost as honest, and fair, and just to allow that council or the parliament of Scotland, to make laws for the people of Ireland, as it was for the corrupt body that

* "*Twenty-nine proxies were entered, four and five to one lord.*"—MOUNTMORRES, I. 321.

sat in Dublin, and usurped the powers of legislation, contrary to the law of the land. The act above referred to, assumes, as the grounds of its enaction, such miserable legends, and such vile sophistry, as display an utter disregard of the slightest appearance of common decency or common honesty, and must excite the disgust of every candid observer. They form a sort of sui generis in the history of legislation. The wickedness of the transaction stares us in the face with the most meretricious audacity. The preamble enters into an elaborate attempt to prove that the whole island and all its inhabitants were, and of right ought to be, the property of the kings of England! That England or Englishmen should advance such claims, grounded, as they were in this act, on the fabulous histories of Gurmonds and Belans, and donations of an island not their own, might not be very surprising. But what indignation must it excite, to have those legendary tales recorded among the statutes enacted in the metropolis of Ireland, and by men pretending to the venerable character of representatives of that kingdom? The pretended proofs would excite our merriment, did not profound astonishment and sovereign contempt stifle the propensity to ridicule.

The two principal grounds for asserting a paramount claim to the soil and people of Ireland in favour of the English kings, were, first, that the progenitors of the Irish, who migrated from Spain, lived in a province called Biscan, "whereof Bayon was a member;" that "king Gurmond, son of the noble king Belan, king of Great Britain, was lord of Bayon," as were many of his successors down to the coming of Henry II. into Ireland; and as the crown devolved in right of succession to Elizabeth, "THEREFORE"—most wonderful logic!—"the Irish should be the king of England his people, and Ireland his land."*

* *Extract from "An Act for the attainder of Shane O'Neile, and the extinguishment of the name of O'Neile, and the entitling of the Queen's majesty, her heirs, and successours, to the country of Tyrone and other countries and territories in Ulster.*

"And now, most deere sovereign ladie, least that any man which list not to seeke and learn the truth, might be ledd eyther of his owne fantasticall imagination, or by the sinister suggestion of others, to think that the sterne or lyne of the Oneyles should or ought, by prioritie of title, to hold and possess anie part of the dominion or territories of Ulster before your majestie, your heyres, and successours, we, your grace's said faithfull and obedient subjects, for avoyding of all such scruple, doubt, and erroneous conceit, doe intend here (pardon first craved of your majestie for our tedious boldness) to disclose unto your highness *your auncient and sundry strong authentique tytles*, conveyed farr beyonde the said lynage of the Oneyles and all other of the Irishie to the dignitie, state, title and possession of this your realm of Ireland.

"And therefore it may like your most excellent majestie to be advertized, that the auncient chronicles of this realm, written both in the Latine, English, and Irish tongues, alledged *sundry auncient tytles for the kings of England to this land of Ireland.* And first, that at the beginning, afore the comming of Irishmen into the said land, they were dwelling in a *province of Spain, the which is called Biscan, whereof Bayon was a member, and the chief citie.* And that, at the said Irishmen's comming into Ireland, one *king Gurmond*, sonne to the noble king Belan, king of Great Britaine, which now is called England, *was lord of Bayon*, as many of his successours were to the time of king Henry the second, first conqueror of this realm · and THEREFORE THE IRISHMEN SHOULD BE THE KING OF ENGLAND HIS PEOPLE, AND IRELAND HIS LAND!!

But not relying wholly on this title to "the kingdom and the people," they adduce another proof equally cogent and valid, grounded on a most miserable legend, that Heremon and Heberus, when leading their followers from Spain into Ireland, met King Gurmond, at

"Another title is, that at the same time that Irishmen came out of Biscay, as exhiled persons, in sixty ships, *they met with the same king Gurmond* upon the sea, *at the ystes of Orcades*, then comming from Denmark with great victory. Their captains, called Heberus and Hermon, went to this king, and him tolde the cause of their comming out of Biscay, and him prayed, with great instance, that he would graunt unto them, *that they might inhabit some land in the west.* The king at the last, by advise of his councell, *granted them Ireland to inhabite*, and assigned unto them guides for the sea, to bring them thither: and THEREFORE THEY SHOULD AND OUGHT TO BE THE KING OF ENGLAND'S MEN!!

"Another title is, as the clerke Geraldus Cambrensis writeth at large the historie of the conquest of Ireland by king Henry the second, your famous progenitor, how Dermot Mac Morch, prince of Leinster, which is the first part of Ireland, being a tyrant or tyrants, banished, went over the sea into Normandie, in the parts of France, to the said king Henry; and him besely besought of succour, which he obtained, and thereupon became liege man to the said king Henry, through which he brought power of Englishmen into the land, and married his daughter, named Eve, at Waterford, to Sir Richard Fitz-Gilbert, earle of Stranguile in Wales, and to him granted the reversion of Leinster, with the said Eve his daughter. And after that the said earle granted to the said king Henry the citie of Dublin, with certain cantreds of lands next to Dublin, and all the haven towns of Leinster, to have the rest to him in quiet with his grace's favour.

"Another title is, that in the year of our Lord God one thousand one hundred sixtie-two, the aforesaid king Henry landed at the citie of Waterford, within the realm of Ireland, and there came to him Dermet, king of Corke, which is of the nation of the M'Carties, and of his own proper will became liege, tributarie for him and his kingdom, and upon that made his oath and gave his hostages to the king. Then the king roade to Cashell, and there came to him Donalde, king of Limerick, which is of the nation of the O'Brienes, and became his liege, as the other did. Then came to him Donald, king of Ossorie, Mac-Shaglin, king of Ophaly, and all the princes of the south of Ireland, and became his liege men, as aforesaid. Then went the said king Henry to Dublin, and there came to him O'Kirnill, king of Uriel, O'Rowcke, king of Meth, and Rothorick, king of all Irishmen of the land, and of Connaught, with all the princes, and men of value of the land; and became liege subjects, and tributaries, by great oathes for them, their kingdoms and lordships to the said king Henry; and that of their own good wills, as it should seem; for that *the chronicles make no mention of any warre or chivalrie done by the said king, all the time that he was in Ireland.*

"And in the year of our Lord God, a thousand, a hundred, four score and five, he gave the land of Ireland to his youngest sonne, John by name, about which time the said John came in person into Ireland, and held the same land.

"Another title is, that all the clergie of this realm assembled at Armagh, at the time of the Conquest, upon the comming over of Englishmen, our forefathers; and there it was decreed and deemed by them, that through the sin of the people of the land, by the sentence of God, the mischief of the Conquest them befell.

"Another title is, that at the first comming and being of king Richard the second in Ireland, at the citie of Dublin, and other places of the land, there came unto him, with their own good wills, O'Neyle, captain of the Irishmen of Ulster, O'Brecne, of Thomond, O'Connor of Connaught, Arthur Mac Morchie, captain of Irishmen in Leinster, and all captains of Irishmen of Ireland, and became liege men to the said king Richard, and to him did homage and fealty: and for the more greater suertie bound themselves in great summes of money, by divers instruments, in case they did not truly keep and hold their allegiance in the forme aforesaid: and therefore, sayeth this clerke, that from the beginning of his time, which was about three hundred and four score years past, GOOD IS THE KING OF ENGLAND'S TITLE AND RIGHT TO THE LAND AND LORDSHIP OF IRELAND." —*Statutes*, 231.

the islands of the Orcades, returning, crowned with laurels, from a great victory obtained in Denmark!!! The Milesian chiefs, wearied out with their tedious pilgrimage, and panting after an asylum, where they might repose from their labours, besought *this powerful prince* to grant them some place in the west, wherein to settle themselves!! Having compassion on them, he graciously "by advise of his councell, granted them Ireland to inhabite"—and "*therefore they should and ought to be the king of England's men!!!*"

The migration of the Milesians to Ireland is stated by O'Connor, one of the most learned antiquaries of the last century, to have taken place eleven hundred years before the Christian era. The act for the attainder of O'Nial was passed, as already stated, anno 1568. Thus this claim, so cogently urged, was nearly twenty-seven hundred years old!!

This procedure is so revolting to reason, justice, and common sense, as to be utterly incredible, did not the statute book, which is disgraced by the act in question, bear ample testimony to its existence. A band of Algerines, about to perpetrate some outrageous act of violence, and desirous of palliating it by sophistry, could not have devised a more hollow or fallacious pretence. The whole story of Belan and Bayon, and Gurmond and the Orcades is as very a romance, as any of the tales which Scheherazade recounted to her dear sister Dinarzade, to save herself from decollation.

CHAPTER VIII.

Religious persecution and persecutors, of every description, deserving of the curse of God and man. Comparison between Roman Catholic and Protestant persecutors. Gross inconsistency, and, of consequence, peculiar turpitude of the latter.

> " To subdue th' unconquerable mind,
> To make one reason have the same effect
> Upon all apprehensions. To force this
> And that man to think just as I do—
> Impossible! Unless souls, which differ
> Like human faces, were alike in all."—Rowe.

Religious persecution is one of the greatest stains attached to human nature. It is in hostility with the most clear and explicit doctrines of Jesus Christ; and its absurdity is about equal to its wickedness; as it supposes, what never was, and never can be, that men can change their belief at will, as they can change their dress. But our opinions are as independent of our volition, except where reason comes in to aid in the change, as our complexion or our height. Wherever or by whomsoever perpetrated, this odious offence, and its perpetrators, merit the curse of God and man. It makes no difference in the eye of Heaven whether the victim have been or may be fined, imprisoned, or immolated at Madrid, in Paris, in London, or Dublin: it is a crime for which there never was, nor can ever be, any apology or extenuation, and which in a peculiar degree cries to Heaven for vengeance.

That every man has a right, inherent and indefeasible, to worship God according to the dictates of his conscience, provided they do not lead to the commission of crimes, is one of those eternal maxims, to which man, in every clime, unsophisticated by religious establishments, must bear testimony. The time, it is to be hoped, will arrive, when it will be a subject of astonishment, and appear wholly incredible, that it could have ever entered into the mind of any human being to coerce the religious opinions of his fellow men—or that he could have been so supremely wicked as to punish them, with fine, imprisonment, or death for the conscientious discharge of their religious duties.

The degree of the atrocity of crimes often depends upon various circumstances of time, place, and person. An act perpetrated at one time, by a certain person, or under certain circumstances, would be far more indefensible, than if perpetrated at another time, by another person, or under different circumstances.

Thus it is with religious persecution. It is, I repeat, at all times and in all places, deserving of abhorrence and execration. But it had a peculiar malignity and turpitude when perpetrated by the reformers. To be satisfied of this truth, requires but a small degree of reflection and candour.

To elucidate this point, I shall select the cases of two nations, France and England—the former, at the moment when Calvinism was first broached there—the latter after the reformed religion was established.

At that time the Roman Catholic religion universally prevailed in France. It rested on the authority of general councils, composed of bishops and priests convened from every part of Christendom. Those councils are by Catholics universally believed to be infallible: and their religion is regarded as emanating from Jesus Christ himself, and the same as that taught by his apostles and disciples. It is wholly foreign from my purpose, to discuss the question whether these opinions were just or the contrary. Whatever decision that question might receive, would not in the slightest degree affect the argument. They believed that all innovations were heresies and schisms, and deserving of punishment. However lamentable and unjustifiable, therefore, it may be, it is not very wonderful, that they had recourse to pains and penalties to prevent the spread of what they regarded as pestiferous innovations.

But the case of England was incalculably different. The great basis of the reformation rested on the right of every man to interpret the Scriptures for himself, unfettered by the decrees of popes, or councils, or synods. On the Protestant standard was imprinted, in conspicuous characters—"Search the Scriptures. There the rule of faith is distinctly developed." The reformers, therefore, having duly searched the Scriptures—abandoned, from conscientious motives, the religion of their ancestors and of their youth—and chosen a religion for themselves—it would appear that nothing but insanity could have led them to suppose that they had any right to control their neighbours' religious opinions, or that their neighbours did not possess an equal right with themselves, either to choose a new religion, or to adhere to the old, as their conscience might prescribe. Yet in opposition to these plain dictates of reason and common sense, the voice of history proclaims, that in England, and indeed in almost every part of Europe, the reformers, when possessed of power, persecuted not merely the followers of the old religion, but even those, who, like themselves, had abandoned that religion, but chosen a different system from their own! This is a fertile topic—but I shall only for the present refer, for confirmation of these positions, to the noyades in Switzerland—the proceedings of the synod of Dort in Holland—and more particularly to the horrible persecutions of the Quakers in England—and of the Covenanters in Scotland, by Lauderdale and Archbishop Sharp, the latter of which were not exceeded by those of the Vaudois and Albigenses.

I trust, therefore, it will appear as clear as the noon-day sun, that the persecuting reformer was far more culpable than the persecuting Roman Catholic, odious as the latter undoubtedly was. To the native and inherent turpitude of one of the most hideous crimes—a crime offering outrage to the mild dictates of the religion both descriptions of Christians professed—the former added the grossest inconsistency—the most direct violation of the vital and fundamental principle on which his religion was established.

It hence follows, although every inquisitor, whether a resident of London or Madrid, of Lisbon, Glasgow, or Dublin, ought, by the lex

talionis, to have been scourged with his own lash, hung on his own gibbet, impaled on his own stake, or roasted with his own faggot, that if it were possible to make a scale in which a due proportion should be observed between the crime and the punishment, the Reforming persecutor might lay claim to a proud pre-eminence over the Roman Catholic.

Bearing these strong truths in mind, let us cast a glance at the persecution of the Irish Roman Catholics, and we shall find that it bears imprinted on its forehead the unerring mark of anti-christ; for after the hundreds of volumes employed in investigating who, and what, and where is anti-christ, I am fully persuaded, that the true and genuine anti-christ is religious persecution; that every persecutor, of whatever denomination, was a lineal descendant of anti-christ; and that religious persecution, in all its shapes and forms, whether exercised by Dioclesian at Rome, Mahomet at Mecca, Dominic at Madrid, Charles IX. at Paris, Calvin at Geneva, Knox in Edinburgh, Mary in England, or Elizabeth in Ireland, was utterly antichristian.

At the accession of Elizabeth to the throne of England, the Roman Catholic religion was professed by the Irish nation, with scarcely an exception. There was not one of any other denomination for every ten thousand Catholics. Throughout three-fourths of the island there was not a Protestant in existence, and the mass of the nation knew not what the word meant. In such a state of things, so utterly inauspicious for her views, Queen Elizabeth, head of the Church of England, conceived the preposterous and unholy design of subjecting the exercise of the Roman Catholic religion in Ireland, to the most oppressive penalties and forfeitures, by act of the parliament of that country!!!

The wickedness of this act could only be equalled by the turpitude of the means by which it was accomplished. I have shown in page 94, the flagitious mode in which Sussex* packed the parliament of 1560, convened merely for the purpose of passing it. One half of the nation, I repeat, was disfranchised—and in the other half, corruption, intrigue, and undue influence secured for the government a majority of those who composed the parliament. But for this vile system of fraud, it would have been quite as difficult to pass this act in Ireland, as it would be at the present hour to pass an act in the British parliament to establish the worship of the sun, or to substitute the Koran for the book of common prayer, or in America to pass an act renouncing our independence and submitting to be re-colonized.

Seventy-six men†—tell it not in Gath, publish it not in Ascalon—of whom many were corruptly smuggled into parliament, in violation of the law of the land, as well as of every principle of honour and justice—some of them foreigners without any pretensions to a seat in the legislature—*seventy-six men*, I say, subjected an entire nation to

* The real representatives of the people made an unavailing struggle against this act. They were outvoted. "So much had Sussex been alarmed by the opposition he had encountered in this parliament, that he dissolved it in a few weeks."—Leland, II. 274.

† The reader will bear in mind that in the parliament of 1560, there were in the House of Commons only the paltry number of seventy-six members, most of them fraudulently chosen.

pains and penalties for the exercise of the religion of their ancestors—for the worship of God according to the dictates of their consciences, and attempted to dragoon them to adopt doctrines which they imperfectly understood, and which they abhorred. To aggravate the enormity of the offence, were it susceptible of aggravation, this high-handed act of persecution and despotism was perpetrated at a period when Europe resounded with the most virulent and clamorous abuse of the Roman Catholics for their persecuting spirit—a grievance which assumed a prominent place among the causes that led to a separation. "Thou hypocrite," says Jesus Christ, "first cast out the beam out of thine own eye—and then shalt thou see clearly to cast out the mote out of thy brother's eye."

This act, thus surreptitiously obtained, thus repugnant to true Christianity, has been the fruitful source of a large portion of the subsequent oppression, misery, wretchedness, slaughter, and confiscation which appear so conspicuously in the blood-stained annals of Ireland. It made Helots of the mass of the nation, and laid them prostrate, tied hand and foot, at the mercy of an unfeeling, cruel, and intolerant aristocracy, in whom it fostered into the most baleful luxuriance all the hateful passions, which germinate so prodigally whenever society is divided into two classes, of which one possesses uncontrolled power over the other.

I annex a sketch of some of the leading features of this odious act:—

I. Any clergyman who refused to use the common prayer in his church, or who used any other form of worship, rite, ceremony, or manner of celebrating the Lord's supper, *openly or privily*, than was mentioned in the said book of common prayer, was *to forfeit all the profit or income of his benefice for one whole year, and also suffer imprisonment for six months!*

II. For the second offence, he was *to forfeit his income for ever, and suffer imprisonment for one year!*

III. For the third offence he was *to suffer imprisonment for life!*

Thus a Roman Catholic, or even a Protestant dissenting clergyman who three times worshipped God according to the dictates of his conscience, was to be *incarcerated for life*, under the glorious light of the Reformation, which, we are vauntingly told, dispelled the Cimmerian darkness with which the Christian world had been overspread by popery for so many centuries!

IV. Laymen for the first offence were to undergo *imprisonment for one year*—and, for the second, *imprisonment for life!*

V. Any person, who dared, by any interludes, plays, songs, rhimes, or by *other open words*, declare or speak anything in derogation of the book of common prayer, or interrupt any clergyman in the use of it, for the first offence was subject to *a fine of one hundred marks*—for the second, four hundred; and for the third offence, was to *forfeit all his goods and chattels, and suffer imprisonment for life!*

Here, again, we see the glorious light of the Reformation beaming on a benighted world. The best man in Ireland, a Socrates, an Aristides, or a Washington, if he dared three times to speak in derogation of the common prayer, was *liable to imprisonment for life!!*

VI. Every person in the kingdom, absenting himself from the "usual place where common prayer was used," on Sundays and Holi-

days, was subject to a fine of twelve pence, and to the *censures of the church.*

Supposing only eight holidays in the year, each individual who did not attend what he regarded as an heretical worship, was liable to a penalty of three pounds per annum. To those with a family of two persons, an addition would be made of six pounds. This, at the then value of money, was worth about 100*l.* sterling* at present, or four hundred and fifty dollars. To this enormous annual penalty, a man with a wife, and a single child, arrived at maturity, was liable, for obeying the dictates of his conscience! Such was the Christian and liberal spirit of toleration in the halcyon days of Elizabeth—and such was the exact conformity between profession and practice.

VII. By another clause, the queen, or the lord deputy, or other governor or governors of Ireland, were authorized, with the advice of council, to publish such further ceremonies or rites, as they might judge proper, for the advancement of God's glory, the edifying of the church, and the due reverence of Christ's holy mysteries and sacraments.†

* In a work of reputation, it is stated, that the value of money was twelve times as great in 1800 as in 1530. The change from 1530 to 1560 was inconsiderable.

† "If any manner of person, vicar or other whatsoever minister that ought or should sing or say common-prayer mentioned in the said book, or minister the sacraments, from and after the feast of Saint John the Baptist aforesaid, *refuse to use the said common-prayers or to minister the sacraments* in such cathedral or parish church or other places as he should use to minister the same, in such order and form as they be mentioned and set forth in the said book, or shall wilfully or obstinately standing in the same, use any other rite, ceremony, order, forme, or manner of celebrating of the Lord's Supper openly or privily, or mattens, or evensong, administration of the sacraments, or other open prayers than is mentioned and set forth in the said book,‡ or shall preach, declare, or speake, any thing in the derogation or depraving of the said book, or any thing therein conteyned, or of any part thereof, and shall be thereof lawfully convicted according to the lawes of this realm, by verdict of twelve men, or by his own confession, or by the notorious evidence of the fact, *shall lose and forfeit to the queens highness, her heires and successors, for his first offence the profit of all his spirituall benefices or promotions, comming or arising in one whole year,* next after his conviction, and also the person so convicted, shall for the same offence *suffer imprisonment, by the space of six monthes without bayle or mainprise;* and if any such person once convicted of any offence concerning the premises, shall after his first conviction eftsoones offend, and be thereof in forme aforesaid lawfully convict, that then the same person shall *for his second offence suffer imprisonment by the space of one whole year,* and after shall therefore be deprived, (*ipso facto,*) of all his spiritual promotions; and that it shall be lawfull to all patrons or donours of all and singular the same spirituall promotions, or any of them, to present or collate unto the same, as though the person or persons so offending were dead, and that if any such person or persons, after he shall be twice convicted in the forme aforesaid, shall offend against any of the premisses in the third time, and shall be thereof in forme aforesaid, lawfully convicted, that then the person so offending and convicted the third time, *shall be deprived,* (*ipso facto,*) *of all his spirituall promotions, and also shall suffer imprisonment during his life:* and if the person that shall offend and be convict in forme aforesaid, concerning any of the premisses, shall not be beneficed, nor have any spirituall promotion, that the same person so offending and convict, shall for the first offence *suffer imprisonment during one whole year* next after his said conviction without bayle or mainprise: and if any such person, not having any spirituall promotion, after his first convic-

‡ "Open prayer in and throughout this act, is meant that prayer which is for others to come unto, or hear, either in common churches or privy chappels, or oratories, commonly called the service of the church."

On the sixth item, some remarks are imperiously called for. The "censures of the church" to which those were subject, who did not attend a church where the common prayer was used, were a tremendous instrument of tyranny and rapine. According to Bishop Bedell, "*the officers of the court thought they had a sort of right to oppress*

tion shall eftsoones offend in any thing concerning the premisses, and shall, in forme aforesaid, be thereof lawfully convicted, that then the same person shall for his second offence *suffer imprisonment during his life*. And it is ordeyned and enacted by the authority abovesaid that if any person or persons whatsoever after the feast of Saint John Baptist, shall in any enterludes, playes, songs, rimes, or by other open words, declare or speake any thing in derogation, depraving or despising of the same book, or of any thing therein contained, or any part thereof, or shall by open fact, deed, or by open threatenings compell, or cause, or otherwise procure or maintaine any person, vicar, or other minister in any cathedral or parish church, or in chappel or in any other place, to sing or say any common open prayer, or to minister any sacrament otherwise or in any other maner and forme than is mentioned in the said book, or that by any of the said meanes shall unlawfully interrupt, or let any person, vicar, or other minister, in any cathedral or paroch church, chappell, or any other place, to sing or say, common and open prayer, or to minister the sacraments or any of them in such manner and forme as is mentioned in the said book, that then every such person being thereof lawfully convicted in forme abovesaid, shall forfeit to the queen our sovereign lady her heyres and successors *for the first offence an hundred markes*. And if any person or persons being once convict of any such offence eftsoones offend against any of the said recited offences, and shall in forme aforesaid be thereof lawfully convict, that then the same person so offending and convict *shall for the second offence forfeit* to the queen our sovereign lady, her heyres and successours *four hundred marks*, and if any person after he in forme aforesaid shall have been twice convict of any offence concerning any of the last recited offences, shall offend the third time, and be thereof in forme aforesaid lawfully convict, that then every person so offending and convict, *shall for his third offence, forfeit to our sovereign lady the queen, all his goods and chattels, and shall suffer imprisonment during his life.*

"All and every person and persons inhabiting within this realm, shall diligently and faithfully, having no lawfull or reasonable excuse to be absent, endeavour themselves to resort to their paroch church or chappel accostumed, or upon reasonable let thereof, to some usuall place where common prayer and such service of God shall be used in such time of let upon every Sunday and other dayes ordeyned and used to be kept as holy daies; and then and there to abide orderly and soberly, during the time of the common prayer, preachings, or other service of God, there to be used and ministred *upon pain of punishment by the censures of the church*, and also upon pain that everie person so offending, *shall forfeit for every such offence twelve pence*, to be levied by the church-wardens of the paroch where such offence shall be done, to the use of the poore of the same paroch, of the goods, lands, and tenements of such offendour by way of distresse.

"The queen's majestie by the like advice of the said commissioners, or the lord deputie, or other governor or governors of this realm for the time being, may, with the advise of the counsaile of this realm, *ordeine and publish such further ceremonies or rites as may be most for the advancement of God's glorie, the edifying of this church and the due reverence of Christ's holy mysteries and sacraments!!*

"And forasmuch as in most places of this realm, there cannot be found English ministers to serve in the churches or places appointed for common prayer or to minister the sacraments to the people, and that if some good men were provided that they might use the prayer, service and administration of sacraments set out and established by this act, in such language as they mought best understand; the due honour of God should be thereby much advanced, and for that also that the same may not be in their native language, as well for difficulty to get it printed, as that few in the whole realm can read the Irish letters: we doe therefore most humbly beseech your majesty that with your highness favour and royall assent, it may be enacted, ordeyned, established, and provided, by the authority of this present parliament, that in every such church or place, *where the common minister or priest hath*

the natives, and that all was well got, that was wrung from them." [Life of BEDELL, 89.] The good bishop's account of this formidable court, at full length, may be seen in a future chapter.

The history of persecution presents no case more antichristian than this. In every other country where the demoniac spirit of persecution raged, the ruling party and the persecuted used the same language. Thus, when the Roman Catholics of France repealed the edict of Nantes, and commenced that barbarous persecution of the Hugonots, which, for its impolicy as well as its wickedness, has consigned the memory of Louis XIV. and his bigoted counsellors, to the execration of posterity, the Roman Catholic pastor could impart instruction to the Hugonot, if the latter were compelled to attend service in one of the established churches, and the Hugonot could as perfectly understand him as he could a pastor of his own denomination. The Roman Catholic in England, and the Presbyterian in Scotland, when subject to penalties for not attending worship in the Protestant Episcopalian churches, could not plead ignorance of the language of their instructors. But in Ireland the Roman Catholics were subject to penalties for not attending the sermons and exhortations of clergymen whose language not one in five hundred of them understood, and who were equally ignorant of the language of their flock!!!!!

The transcendent folly and wickedness of this system must strike the most superficial observer at a glance. Spenser placed its futility in so clear a light, that nothing but the blind bigotry and the intolerant spirit of that age could have overlooked it. "*What good,*" he emphatically asks, "*should any English minister do amongst them, by teaching or preaching to them, which either cannot understand him, or will not heare him?*"—SPENSER, 142.

To cap the climax of folly, this very act stated the important fact, that "in most places of this realm, there cannot be found English ministers to serve in the churches, or places, appointed for common prayer, or to minister the sacraments to the people!!" it therefore directed that "some good men should be provided to use the prayer, service and administration of sacraments, in such language as they *mought* best understand." And further, that where the minister did not understand English, he might "say and use the mattens, evensong, celebration of the Lord's supper, and administration of each of the sacraments, and all their open and common prayer *in the Latin tongue.*"

It would be endless to point out all the absurdities of this system. The law was ordered to be put in force on the festival of John Baptist next ensuing its enaction, that is, in three or four months, without any adequate provision of ministers or books for the purpose, which it was impossible to supply in so short a space!!

It has been said that this act was not enforced, and that it was a mere dead letter. This is a very great error. It was as rigorously en-

not the use or knowledge of the English tongue, it shall be lawfull for the same common minister or priest to say and use the mattens, evensong, and celebration of the Lord's Supper, and administration of each of the sacraments, and all their common and open prayer *in the Latin tongue,* in such order and form as they be mentioned and set forth in the said book established by this act, and according to the tenour of this act, and none otherwise, nor in other manner."—*Statutes,* 201.

forced, as it was unjustly enacted.* The fines for non-attendance at church, were rigidly exacted.—The people, believing that attendance once a day, would be a compliance with the law, went in the evening to church, to hear the common prayer, and in the morning to their own places of worship. This partial evasion of the law attracted the attention of their tyrannical governors, who, to prevent it, had the roll called morning and evening.† This arbitrary and vexatious system was adopted so early as 1563, only three years after the enaction of the law!!

* "1578. The lord deputy bound several citizens by recognisance of forty pounds to come to church to hear divine service every Sunday, pursuant to the queen's injunctions."—Cox, 354.

† "A tax was laid on every house-keeper, who omitted coming to church on Sundays, and it was collected exactly, so that many came to church, rather than they wou'd pay that tax: at first *they went to mass in the morning, and to church in the afternoon; but to prevent that, a roul of the house-keepers names was called over by the church-wardens in every parish.*"—Ware, *Eliz.* 8.

CHAPTER IX.

Sacrilegious robbery of the Catholic churches. Gross abuses in the established church. Bishops utterly negligent of their duties. Churches either unsupplied with pastors, or supplied with those of scandalous insufficiency in point of acquirements, and of most dissolute morals.

"Let holy rage, let persecution cease—
Let the head argue—but the heart be peace—
Let all mankind in love of what is right,
In virtue and humanity unite."—THOMSON.

"Ne'er yet did persecution's offspring thrive,
For the forc'd heart, submitting, still resists.
Reason gains all men, by compelling none."—HILL.

IN the preceding chapter, I have detailed the anti-christian spirit of persecution by which Elizabeth and her ministers were actuated in the attempt to abolish at once the exercise of the ancient religion of the country by heavy pains and penalties. It now remains to show what success attended the attempt—what were the merits and virtues of the new clergy—what zeal and disinterestedness they displayed in overcoming the attachment of the people to the old forms of worship, and winning them over to the new. And here, I regret to find, that there is nothing to be seen but what excites disgust at the folly and wickedness of the government, in tearing down, and, as far as in their power, destroying an old system, without any adequate effort to provide a suitable substitute.

The reformation, whatever may have been its operation in other countries, produced the most deleterious consequences in Ireland. One of the first fruits of it was to expel the old clergy from the churches without supplying their places with successors.* Another was a sacrilegious robbery of the Catholic churches, which were generally despoiled of their furniture and ornaments, by persons appointed to remove crucifixes, mass books, and other articles from them. The spoils were publicly sold by the plunderers for their benefit.† To this rapine

* "The clergy, who refused to conform, abandoned their cures. *No reformed ministers could be found to supply their places.* The churches fell to ruins. *The people were left without any religious worship or instruction!*"—LELAND, II. 274.

† "The prejudices conceived against the reformation, by the Irish natives more especially, were still further encreased by the conduct of those who were commissioned to remove the objects and instruments of popular superstition. *Under pretence of obeying the orders of state, they seized all the most valuable furniture of the churches, which they exposed to sale without decency or reserve!* The Irish annalists pathetically describe the garrison of Athlone issuing forth, with a barbarous and heathen fury, and pillaging the famous church of Clonmacnoise, tearing away the most inoffensive ornaments, books, bells, plate, windows, furniture of every kind, so as to leave the shrine of their favourite saint, Kieran, a hideous monument of sacrilege."—LELAND, II. 237.

they were encouraged by the hostility so openly manifested towards the old church by their intolerant rulers. This unholy proceeding was carried to such a profligate length, that it was finally found necessary to pass an act to prevent it.

This stain, deep as it was, formed but a small portion of the evil. The established church, for seventy years at least—how much later I cannot determine—was disgraced and dishonoured in every possible way in which disgrace and dishonour can attach to the professors of religion. The bishops, with few exceptions, were regardless of every thing except the emoluments of their high stations. They held numbers of benefices in commendam; left more than half of the churches absolutely unprovided with pastors; and filled others with persons of scandalous insufficiency, not merely in point of acquirements, but in respect to morals.[1] They let their servants and horse-boys collect the tithes and first fruits. The pastors and curates were generally dissolute and abandoned—guilty of simony and other crimes—and unmindful of the duties of their sacred functions.

In one word, from the utter mismanagement of the established church, it would almost appear, I repeat, that the object of the government was to abolish the old religion, regardless whether its place were supplied with any other.

This is a strong accusation, and requires, to be established by good authority, to gain credence with the mass of the community who are persuaded that a diametrically opposite result was produced.

To remove all possibility of doubt on the subject, I annex the testimony of Spenser,[2] Sydney,[3] Hooker,[4] Davies,[5] and Strafford,[6] all

1 "Some of them, (the bishops,) whose dioceses are in remote parts, somewhat out of the world's eye, *doe not at all bestow the benefices, which are in their owne donation, upon any, but keep them in their owne hands, and set their owne servants and horse-boys to take up the tithes and fruites of them, with the which, some of them purchase great lands, and build faire castels upon the same.* Of which abuse if any question be moved, they have a very seemely colour and excuse that they have no worthy ministers to bestow them upon, but keepe them so bestowed for any such sufficient person as any shall bring unto them."—Spenser, 140.

2 "Whatever disorders you see in the church of England, yee may finde there, and many more. Namely, *grosse simony, greedy covetousnesse, fleshly incontinency, carelesse sloath, and generally all disordered life in the common clergymen.* And besides all these, they have their particular enormityes; for all Irish priests, which now enjoy the church livings, *they are in a manner meere laymen*, saving that they have taken holy orders; but otherwise they doe goe and live like laymen; follow all kinde of husbandry, and other worldly affaires, as other Irish men doe. *They neither read Scriptures, nor preach to the people, nor administer the communion; but baptisme they doe; for they christen yet after the popish fashion;* only *they take the tithes and offerings, and gather what fruite else they may of their livings.*"—Idem, 139.

"It is great wonder to see the oddes which is between the zeale of popish priests, and the ministers of the gospell; for they spare not to come out of Spaine, from Rome, and from Remes, by long toyle and daungerous travayling hither, where they know perill of death awayteth them, and no reward or richesse is to be found, onely to draw the people unto the church of Rome; whereas some of our idle ministers, having a way for credite and estimation thereby opened unto them, and having the livings of the countrey offered unto them, without paines, and without perill, will neither for the same, nor any love of God, nor zeale of religion, or for all the good they may doe, by winning soules to God, bee drawne foorth from their warme neastes, to looke out into God's, harvest, which is even ready for the sickle, and all the fields yellow long agoe."—*Idem*, 254.

cotemporaries of the state of things I have depicted. This testimony embraces the period from the commencement of the reformation in

[3] 1576. "The first is, the churche nowe so spoyled, as well by the ruine of the temples, as the dicipacion and imbeaselinge of the patrimonye, and most of all, for want of sufficient ministers; as *so deformed and over throwen a churche there is not, I am sure, in any region where Christ is professed;* and preposterous it seameth to me, to begin reformacion of the pollitique parte, and to neglect the religious."—SYDNEY, I. 109.

"I was advertized of the perticuler estate of ech churche in the bishopricke of Meithe, (being the best inhabited countrie of all this realme,) by the honest, zealous, and learned bishop of the same, Mr. Hugh Bradye, a godlye minister for the gospell, and a good sarvaunt to your highnes, who went from churche to churche hym selfe, and found, that there are within his dioces 224 parrishe churches, *of which number one hundred and five are impropriated to sondrie possessions, nowe of your highnes,* and all leased out for yeares, or in fee farme, to severall farmers, and great gayne reaped out of theim above the rent, which your majestie receivethe; *no parson, or vicar, resident upon any of theim, and a very simple or sorrye curat,* for the most parte, appointed to serve theim: amonge which nomber of curatts, *onely eightene were found able to speake English.*"

"No one howse standinge for any of theim to dwell in. In maney places, the very walles of the churches doune; verie few chauncells covered, wyndowes and dores ruyned, or spoyled. There are 52 other parishe churches in the same dioces, who have viccars induced upon theim, better served and maynteined then the other, yet but badlye. There are 52 parishe churches more, residue of the first nomber of 224, which perteine to dyvers perticuler lords, and these though in better estate, then the rest commonlye are, yet farre from well. *If this be the estate of the churche in the best peopled dyoces, and best governed countrie, of this your realme,* (as in troth it is;) easye it is for your majestie to conjecture, in what case the rest is, where little or no reformation, either of religion or manners, hath yet bene planted, and contynued amonge theime."—SYDNEY, I. 112.

"Uppon the face of the earthe, where Christ is professed, there is not a churche in so miserable a case; the miserye of whiche consistethe in thiese three particulars, the ruyne of the verie temples theimselves; the want of good mynisters to serve in theim, when they shallbe reedified; competent lyvinge for the ministers beinge wel chosen."—*Ibid.*

[4] "And though the outrages in the civill government were great, yet nothing to be compared to the ecclesiastical state, for that was too far out of order, the temples all ruined, *the parish churches for the most part without curates and pastors, no service said, no God honoured, nor Christ preached, nor sacraments ministered.*"—HOOKER, apud HOLLINSHED, VI. 382.

[5] "There has been so little care taken, as that the greatest part of the churches within the pale be still in their ruins; so as the common people, (whereof many, without doubt, would conform themselves,) *have no place to resort to, where they may hear divine service.*"—DAVIES, 240.

[6] "For the holding of two livings, and but two with cure, since you approve me in the substance, I will yield to you in the circumstance of time. Indeed, my lord, *I knew it was bad, very bad in Ireland; but that it was so stark nought I did not believe; six benefits not able to find the minister cloaths! In six parishes scarce six to come to church!!!!*"—STRAFFORD, I. 254.

"The best entrance to the cure, will be clearly to discover the state of the patient, which I find many ways distempered; *an unlearned clergy, who have not so much as the outward form of churchmen to cover themselves with,* nor their persons any ways reverenced or protected, the churches unbuilt, the parsonage and vicarage houses utterly ruined; *the people untaught thorough the non-residency of the clergy,* occasioned by *the unlimited shameful numbers of spiritual promotions with cure of souls, which they hold by commendams; the rites and ceremonies of the church run over without all decency of habit, order, or gravity,* in the course of their service; the possessions of the church, to a great proportion, in lay hands; *the bishops aliening their very principal houses and demesnes to their children, to strangers, farming out their jurisdictions to mean and unworthy persons;* the popish titulars exercising the whilst a foreign jurisdiction much greater than theirs."—*Idem,* 187.

Ireland in 1560 until the year 1630. To this I add that of Burnet,[7] Carte,[8] and Leland,[9] protestant historians of the last century, all bearing on the same subject with irresistible force, and exhibiting as deplorable and disgraceful a state of the established church as can well be conceived. The aggregate of the evidence so overwhelmingly establish my positions, as for ever to silence all cavil, and command the assent of every reader, with the slightest pretensions to candour, to whatever nation, party, or religion, he may adhere.

Sydney has recorded a detail of the state of the diocess of Meath, one of the best regulated in the kingdom, from which a tolerably correct idea may be formed of the state of the church generally. In that diocess there were 224 parish churches, of which 105 were impropriated to different possessions—not a parson or vicar to any one of them —to some "a sorry curate." Of the whole number of curates, only eighteen could speak English. Of the remaining churches 52 belonged to particular lords.

7 "There are seven or eight ministers in each diocess of good sufficiency; and (which is no small cause of the continuance of the people in Popery still,) English, which have not the tongue of the people, *nor can perform any divine offices, or converse with them;* and which hold *many of them two or three or more vicarages apiece;* even the clerkships themselves are in like manner conferred upon the English, and sometimes two or three, or more, upon one man, and *ordinarily bought and sold or let to farm.*"—Burnet's *Life of Bedell*, 46.

8 "As scandalous livings naturally make scandalous ministers, *the clergy of the established church were generally ignorant and unlearned, loose and irregular in their lives and conversations, negligent of their cures, and very careless of observing uniformity and decency in divine worship.*"—Carte, I. 68.

"Nor were the parochial churches in a better condition than the cathedral. They had most of them in the country been destroyed in the troubles, or fallen down for want of covering; the livings were very small, and either kept in the bishops' hands by way of commendams and sequestrations, or else filled with ministers as scandalous as their income; so that *scarce any care was taken to catechise the children, or instruct others in the grounds of religion; and for years together, divine service had not been used in any parish church throughout Ulster, except in some city or or principal towns.*"—Idem, 17.

9 "There were few churches to resort to; few teachers to exhort and instruct; fewer still who could be understood; and *almost all, at least for the greater part of this reign,* (*Elizabeth's,*) *of scandalous insufficiency.*"—Leland, II. 459.

CHAPTER X.

Scandalous libels on the Irish character. Giraldus Cambrensis. Sydney. Hooker. Overwhelming favourable testimony. Baron Finglass. Edward Coke. Sir John Davies. Stanihurst. Borlase. Hooker's inconsistency.

> "They talk as they are wont—not as we merit—
> Traduce by custom, as most dogs do bark.
> Do nothing out of judgment, but disease—
> Speak ill, because they never could speak well—
> And who'd be angry with this race of creatures?"—B. Jonson.

To palliate the grievous oppression under which Ireland groaned for centuries, during the existence of what was called peace, as well as the horrible system of extirpation pursued by the officers of the government, during warfare, the Irish were generally represented as incurably barbarous, savage, intolerant of law and order, and only to be ruled with a rod of iron. Such has ever been the character drawn of their subjects, by cruel and tyrannical rulers when they compelled them to resistance by their violence and oppression.

This motive would sufficiently account for the hideous character drawn of the Irish by the English writers, independent of any other consideration. But even where no such stimulus exists, the characters of nations are rarely drawn correctly by their neighbours, or by interested, absurd, ignorant, thoughtless, or prejudiced travellers. This kind of obliquity prevails in different portions of a country towards the inhabitants of other portions. The Normans and Gascons are objects of ridicule throughout the rest of France—the Scotch, notwithstanding their many solid virtues as a nation, were, until lately, regarded with an evil eye in England, and, at one period, were daily objects of the most intemperate and outrageous abuse—and the name of a Yorkshireman has long been and is at present proverbial in England for trick and cunning.

Such partial statements of national or provincial characters, are entitled to no attention. Who, for instance, can recognise a single feature of the American character in the miserable productions of Ash, Fearon, Parkinson, Howlett, or the other numerous English travellers who have visited this country, apparently with a view of exposing our citizens, their manners and customs, to ridicule and contempt? Many of their statements are as near the truth as the tales of Major Longbow. Who, on the other hand, can discover in the pages of M. Pillet, the Fearon of England, a single one of the estimable traits of the existing English character—their glowing public spirit—their zeal in defence of their country—their laudable charity—their great liberality in the promotion of grand public objects—and their unexampled munificence in rewarding public services? There is not a trace of them to be found there.

In like manner, it would be in vain to seek for the true character of

the Irish in the libels of Giraldus Cambrensis,* Sydney,† or in the early writings of Hooker.‡ They were envenomed enemies of the Irish, and dipped their pens in the bitterest gall, to depict Ireland and Irishmen in the most revolting colours. But had the Irish really deserved the character those writers have drawn, it would not be very extraordinary. The characters of nations are moulded by the nature and operations of the government under which they live: and the Irish having for centuries groaned under one of the worst governments that can be conceived, it must necessarily have tended to deteriorate their national character.

But here the slanderers, who give such hideous accounts of the Irish, may be met on the very threshold; and the seal of falsehood

* "*This people, being uncerteine, craftie, and subtile, vnder colour of peace are woont alwaies to be studeing and deuising of mischiefs.* * * * This people is a craftie and a subtile people, and more to be feared when it is peace than when it is open warres; for their peace, indeed, is but enimitie, their policies but craft, their friendships but coloured."—Giraldus Cambrensis, apud Hollinshed, VI. 231.

† "Surelie there was never people that lived in more miserie, than they do, nor, as it shulde seeme, *of worse myndes; for matrimonie emongs them is no more regarded, in effect, then conjunction betweene unreasonable beastes. Perjurie, robberie, and murder, counted alloweable.* Finallie, I cannot finde that they make any conscience of synne, and doubtlesse, I doubte whether they cristen their children or no; for neither finde I place where it shulde be don, nor any persone able to enstruct them in the rules of a Christian; or if they were taughte, I see no grace in them to follow it; and *when they dye, I cannot see they make anny accompte of the world to com.*"—Sydney, I. 24.

‡ "And here you may see the nature and disposition of this wicked, effrenated, barbarous, and unfaithful nation, who, (as Cambrensis writeth of them,) are a wicked and perverse generation, constant in that they be always inconstant, faithful in that they be always unfaithful, trusty in that they be always treacherous and untrusty. They do nothing but imagine mischief, and have no delight in any good thing. They are always working wickedness against the good, and such as be quiet in the land. Their mouths are full of unrighteousness, and their tongues speak nothing but curses. Their feet are swift to shed blood, and their hands imbrued in the blood of innocents. The ways of peace they know not, and in the paths of righteousness they walk not. God is not known in their land; neither is his name called rightly upon among them: their queen and sovereign they obey not; and her government they allow not: but as much as in them lieth, do resist her imperial crown and dignity. It was not much above a year past, that Captain Gilbert *with the sword so persecuted them, and in justice so executed them*, that then they in all humbleness submitted themselves, craved pardon, and swore to be for ever true and obedient; for such a perverse nature they are of, that they will be no longer honest and obedient, than that they cannot be suffered to be rebels. Such is their stubbornness and pride, that with a continual fear it must be bridled; and such is the hardness of their hearts, that with the rod it must still be chastised and subdued; for no longer fear, no longer obedience; and no longer than they be ruled with severity, no longer will they be dutiful and in subjection; but will be, as they were before, false, truce-breakers, and traitorous. Being not much unlike to mercury, called quicksilver, which let it by art be ne'er so much altered and transposed, yea and with fire consumed to ashes; yet let it but rest awhile untouched, nor meddled with, it will return again to its own nature, and be the same as it was at the first; and even so, daily experience teacheth it to be true, in these people. For *withdraw the sword, and forbear correction*, deal with them in courtesie, and intreat them gently, if they can take any advantage, they will surely skip out; and as the dog to his vomit, and the sow to the dirt and puddle, they will return to their old and former insolence, rebellion, and disobedience."—Hooker, apud Hollinshed, VI. 369.

stamped on their foreheads in the most legible characters. The evidence is such as no man living will dare dispute. It is not derived from O'Sullivan, O'Connor, O'Halloran, or Curry. To these writers, objections of partiality would be made, by those prejudiced men who delight in every thing, however gross, however unjust, that defames or destroys the Irish character. The appeal is to Patrick Finglass,* Esq. chief baron of the exchequer, under Henry VIII.; to Coke,† the author of the Institutes; and to Sir John Davies, king James's attorney-general in Ireland.‡

Yet this is the nation, which, I repeat, the miserable herd of scribblers who have undertaken its history, have stigmatized, as barbarous, savage, and wild.

The character drawn by these three writers, is true or false. But it cannot be false: for no rational man could for a moment suppose that these three great public officers of the crown of Engand could conspire in uttering falsehoods to flatter the Irish, the Helots of England: and if it be true, as it must be, then is it clear that the aspersions cast on the Irish character by the other English writers of former times are entirely destitute of foundation.

"The Irish themselves were a people *peaceable, harmless, and affable to strangers, and in themselves, and to all, pious and good, whilst they retain'd the religion of their forefathers.*"—Borlase, 14.

In addition to these testimonies, I adduce that of Hooker himself, whose description of the Irish, supra, page 114, would exactly suit the New Zealanders, or any other of the most barbarous tribes of

* Baron Finglass places the Irish character on far higher ground than that of the English, so far as respects submission to law and justice:

"It is a great abusion and reproach, that the laws and statuts made in this lond are not observed ne kept, after the making of theme, eight days; which matter is oone of the distructions of Englishmen of this lond: and *divers Irishmen doth observe and kepe such laws and statuts, which they make upon hills in their countries, firm and stable, without breaking them for any favour or reward.*"—Hibernica, 51.

† Edward Coke delivers his opinion of the Irish, in a high and encomiastic style of commendation:

"I have been informed by many of those that have had judicial places there, and [know] partly of my own knowledge, that THERE IS NO NATION OF THE CHRISTIAN WORLD THAT ARE GREATER LOVERS OF JUSTICE than they are; *which virtue must of course be accompanied by many others.*"—Coke, IV. 349.

‡ In pourtraying the Irish character, Sir John Davies displays great candour, and is likewise highly encomiastic:

"They will gladly continue in this condition of subjects, without defection, or adhering to any other lord or king, *as long as they may be protected and justly governed, without oppression on the one side, or impunity on the other.* For THERE IS NO NATION OF PEOPLE UNDER THE SUN THAT DOTH LOVE EQUAL AND INDIFFERENT JUSTICE BETTER THAN THE IRISH; *or will rest better satisfied with the execution thereof,* although it be against themselves; *so that they may have the protection and benefit of the law, when upon just cause they do desire it.*"—Davies, 213.

"I dare affirm, that in the space of five years last past, there have not been found so many malefactors worthy of death, in all the six circuits of this realm, which is now divided into thirty-two shires at large, as in one circuit of six shires, namely, the western circuit in England. For the truth is, that, in time of peace, *the Irish are more fearful to offend the law than the English, or any other nation whatsoever.*"—Idem, 200.

savages. He subsequently, that is, immediately after the close of the administration of Sir John Perrot, draws a character of the Irish, diametrically opposite to the one already quoted. In the more recent one, they appear to very great advantage, and would stand a comparison with any cotemporaneous nation.

"Whereas no man before could passe through the countrie, but was in danger to be murdered and robbed, and no man durst to turn his cattell into the fields without watch, and to keepe them in barnes in the night time: now *everie man with a white sticke onelie in his hands, and with great treasures might and did travell without feare or danger where he would*, (as the writer hereof by triall knew it to be true,) and the white sheepe did keepe the blacke, and all the beastes laie continuallie in the fields, without any stealing or preieng."—HOOKER, apud HOLLINSHED, VI. 370.

Both characters cannot be true. If the Irish merited the extravagant vituperation lavished on them in the first instance, they could not possibly deserve the encomiums in the second. The conversions of nations, like those of individuals, never were and never can be so very rapid. If the administration of Perrot, which continued only a very few years, produced so great a reformation, (admitting that the former statements of Hooker, although in a great measure caricatures, had some degree of foundation,) it proves two points beyond question, that is, the facility with which the Irish were rendered amenable to law and order—and the execrable nature of the preceding administrations which blasted the happiness of such a nation.

The character drawn of the Irish by Stanihurst, who flourished anno 1600, although of a very compound nature, as, in truth, all genuine characters of nations or individuals must be, is on the whole honourable to the nation, and reflects credit on the author for his candour and powers of discrimination.

"The people are thus inclined, *religious, franke, amorous, irefull, sufferable of infinite paines*, verie glorious, manie sorcerers, excellent horsemen, delighted with wars, *great almsgiuers, passing in hospitalitie*. The lewder sort, both clearkes and laie men, are sensuall, and ouer loose in liuing. *The same being vertuouslie bred up or reformed, are such mirrors of holiness and austeritie, that other nations reteine but a shadow of deuotion in comparison of them.* As for abstinence and fasting, it is to them a familiar kind of chastisement."—STANIHURST, apud HOLLINSHED, VI. 67.

"*Greedie of praise they be, and fearefull of dishonour*, and to this end they esteeme their poets, who write Irish learnedlie, and pen their sonets heroicall, for the which they are bountifullie rewarded; if not, they send out libels in dispraise, whereof the lords and gentlemen stand in great awe. *They loue tenderlie their foster children, and bequeath to them a childes portion, whereby they nourish sure friendship.* So beneficiall euerie waie, that commonlie fiue hundred cowes and better are giuen in reward to win a noblemans child to foster; they loue and trust their foster brethren more than their owne."—*Ibid.*

Stanihurst carries the point very far in regard to the fidelity between foster-brethren.

"*You cannot* (says he) *find one instance of perfidy, deceit, or treachery among them; nay, they are ready to expose themselves to all manner of dangers for the safety of those who sucked their mother's milk.* You may beat them to a mummy, you may put them upon the rack, you may burn them on a gridiron, you may expose them to the most exquisite tortures that the cruellest tyrant can invent, yet you will never remove them from that innate fidelity, which is grafted in them; you will never induce them to betray their duty."—WARE, II. 73.

May I not fearlessly ask, is there a nation in Europe, at present, when the boasted "school-master is abroad," deserving of a better

character than this, which derives great additional weight from its having been written by an enemy?

A candid review of history will prove, the Irish of those days were far less barbarous than the English. The latter carried on their border wars against the Scotch with a ruthless and infernal ferocity, barbarity and desolation, that will stand a comparison with the so-much-detested ravages of the Huns, Goths, and Vandals. Fire and sword cleared their path of everything that fell in their way. To remove all doubt on the subject, I submit a specimen of a six day's inroad into Scotland, by the Earl of Sussex.*

It may be fairly questioned, whether a band of demons, escaped from the regions of Lucifer, could, with their utmost activity, in six days, have perpetrated more devastation than my Lord Sussex and his garrisons had the pleasure of accomplishing, upon the *unresisting* Scotchmen, in that space of time. The merit is enhanced ten-fold, by the circumstance that it was executed on an *unresisting* enemy; and this forms the proudest wreath of the laurel crown that entwined the brow of the mighty hero! He ran no risk of his own precious life, nor of those of his merciful and heroic followers. To spare the lives of his soldiers, is the first duty of a general. That nothing in human form ever exceeded the horrors of this exploit, within the time it occupied, cannot be doubted. *Fifty castles and three hundred villages consumed in six days!* Illustrious achievement! Attila or Genghis Khan might have studied the art of desolation to advantage under my

* "*A Note of a Journey into Tividale, by the Earl of Sussex, her majesty's lieutenant in the north, begun the 17th of April, 1570, and ending the 22d of the same.*

"The 17th of April, 1570, the earl of Sussex, and the lord Hunsdon, governor of Berwick, with all the garrisons, and power of the east marches, came to Warke, and entered into Tividale in Scotland the 18th, at the break of day, and *burnt all the castles and towns as they went*, until they came to the castle of Moss, standing in a strong marsh, and belonging to the lord of Fernhurst, *which they burnt and razed, and so burnt the country until they came to Craling.*

"The same day, sir John Foster, with all the garrisons and force of the middle marches, entered into Tividale and Expesgate Head, sixteen miles from Warke, and *so burnt all the country, until they came to a strong castle,* in the possession of the mother of lord Fernhurst, *which he burnt and razed; and so burnt all the other castles and towns*, until he came to Craling, where both companies met, and so went up the river of Tivit, *and burnt and threw down all the castles and towns upon that river*, until they came to Jedworth, where they lodged this day.

"The 19th, the army was divided into two parts, whereof the one did pass the river of Tivit, and *burnt and razed the castle of Fernhurst, and all other castles and towns of the lord of Fernhurst, Hunthill, and Bederoll*, and passed on to Minte: and *the other part of the army burnt in like sort on the other side of the river Tivit*, until he came to Hawick.

"The 20th, the army went to Branshaw, the lord of Bucklough's house, which was wholly overthrown with powder; and there divided and *burnt, on the north of the river of Tivit, more into the inland, all the castles and towns in that country.*

"The 21st, the army was divided, and one part went to the river of Bowbeat, and *burnt all on both sides of that river*, and the other part went to the river of Caile, and *burnt all on both sides of the river;* ALL WHICH TIME THERE WAS NEVER ANY SHOW OF RESISTANCE!!!

"And it is conceived by such as know the enemy's part of Tividale, that there are *razed, overthrown, and burnt*, in this journey, ABOVE FIFTY STRONG CASTLES AND PILES, AND ABOVE THREE HUNDRED VILLAGES." —CABALA, 174.

Lord Sussex. With what propriety or decency writers belonging to that nation dare to stigmatize the cotemporaneous Irish as savages and barbarians, let the world judge. And be it observed, that my Lord Scroope made as pleasant an inroad beyond the borders, in a different direction, at the same time; and equally signalized his humanity and his taste for bonfires.* With similar exploits might be filled a dozen chapters for the edification of the reader: but I presume it can hardly be necessary. Let me, however, without offence, offer a gentle hint to Englishmen, and more especially to their writers, that whenever the subject of savages and barbarians is started, it would not be improper to bear in mind the homely, but instructive proverb, "*Men of glass, throw no stones.*" To this lesson, hardly one of them ever pays due attention.

The barbarity of the English warfare, about that period, was very impartially dealt out to other nations besides the Scotch and Irish, who had no particular preference. The French† and Spaniards‡ were under equal obligations.

I now close the bloodstained and heartrending sketches of the history of the oppressed Irish for the first four hundred years of English domination in their country; and trust there is not a man of common candour who will not allow that it is a continued tissue of scenes of rapine, fraud, imposture, subornation, perjury, forgery, desolation, murder, and massacre, hardly relieved by a single oasis occasionally of a few years of quasi peace.

* "*The Rode of the Lord Scroope, warden of the west marches of England, into Scotland.*

"Who, the 17th of April, at ten of the clock at night, with three thousand horse and foot, came to Ellesingham, on the Wednesday at night, and *burned that town* in the morning, being from Carlisle twenty miles. On Thursday, he *burned besides Hoddam*, the Maymes, the town, and all the houses, which is the lord Herryes'; that day they *burned Trayletrow*, which is the lord Maxwell's; *they burned the town of Reywell*, which is the lord Copland's and the lord Homeyne's. They *burned* the house of Copewell, and the demesne of the lord Copland's. They *burned the town of Blackshieve*, which is the lord Maxwell's; item, *the town of Sherrington*, of the same; item, *the town of Lowzwood*, of the same lord's."—CABALA, 175.

† "Twenty days together did the lord Talbot, *with fire and sword* pass through Picardy and Artois, *destroying all that stood in his way*, and so returneth UNENCOUNTERED."—DANIEL, II. 140.

"The protector with 25,000 men, entered, *burnt, and ransacked Flanders and Artois.*

"The earl of Mortaign, son to the duke of Somerset, took by assault St. Avyan, and *slew there* 300 *Scots, and hanged all the Frenchmen; because having once sworn to king Henry, they revolted.*"—WHITELOCKE, Part I. 138.

‡ The English, in their invasion of Spain, in the year 1566, committed such scenes of havoc and destruction, as would have become a horde of Scythians. "*The town* [Cadiz,] *they burnt*, saving only the churches. The walls they battered, and towers demolished. *The island itself they burned, razed, and spoiled,* LAYING ALL WASTE BEFORE THEM, *and leaving the rubbish to declare the ruins which the English had made.*"—SPEED, 1198.

The army, "coming to Vigo, found every street fenced with a strong barricado, and but only one man in the town; the inhabitants making towards Bayon, as fast as they could drive. Then WAS BOTH THE TOWN, AND ALL THE COUNTRY FOR SEVEN MILES COMPASS, SET ON A FLAME."—*Idem*, 1191.

PART II.

FROM 1602 TO 1641.

Having in the first Part of this work presented a cursory view of the state of Ireland to the close of the reign of Elizabeth, I now proceed to submit to the reader a sketch of the affairs of the country, from the accession of James I. to the commencement of the insurrection of 1641, which forms the second division.

This division is subdivided into seven chapters—

XI. The confiscation of six counties in Ulster.

XII. The confiscation of 385,000 acres of land in King's and Queen's counties, Leitrim, Longford, and Westmeath.

XIII. The base, fraudulent, and deceptious act of indemnity passed anno 1613.

XIV. The graces, as they were styled, solemnly pledged to the Irish by Charles I. and perfidiously withheld.

XV. The frauds and corruption practised in packing the parliaments held in 1613 and 1634.

XVI. A view of the administration of Lord Strafford generally.

XVII. The plantation of Connaught.

XVIII. The pretended security of person and property in Ireland for forty years previous to the insurrection, as asserted by Temple, Clarendon, &c.

CHAPTER XI.

Pretended plot of Tyrone and Tyrconnel. Lawless and piratical depredation of James I. Extensive system of confiscation. Gross partiality and injustice. The doctrine of equivalents. Miserable logic of Sir John Davies, attorney-general of Ireland.

> "What a king ought not, that he cannot give.
> And what is more than meet for princes' bounty,
> IS PLUNDER, not a grant."—Young.

I. *The confiscation of six counties in Ulster.*

The unceasing spoliation perpetrated on the Irish, for four hundred years by its proconsular governors, from the invasion by Henry II. till the reign of James I. was speciously covered, as has appeared in the preceding Chapters, with the mantle of rebellion, which was always within reach, and an unfailing resource to gratify the avarice, the ambition, and the malignity, of the Irish proconsuls. The deputies of the kings of England, or the deputies of those deputies, or even the provost marshals, could, at any time, to suit their purposes, excite a

rebellion, or what, in the castle style, was denominated a rebellion. Every act of resistance of insult, outrage, or aggression, was thus designated in proclamations, and afterwards in histories. The prescription was simple. It had been administered times without number, and never failed of success. It was only, as I have already stated, to make an inroad, or to commit some depredation, on such of the Irish nobility or gentry as might be selected for the purpose, the more flagrant the better; provoke them to resistance; proclaim them traitors; let armies loose to destroy them; then confiscate their estates, and finally hang them as pirates and robbers, by the judgments of the pirates and robbers of whom they were the hapless victims.

James changed the system; and substituted the fraud of the fox for the violence of the lion. He accomplished the same end, without the expense of raising a soldier, or firing a gun; and rapaciously seized, without disbursing a shilling, six entire counties in one province, and nearly five in another. Pretended plots and conspiracies were easily fabricated; they were unexpensive; and succeeded to admiration, so as to render unnecessary the apparatus of a rebellion, which would have obliged the "*peace-loving*" James to open the doors of the temple of Janus, to which he had an unconquerable aversion.

A catch-penny letter was dropped in the castle, containing an absurd development of a spurious plot, of which the Earls of Tyrone and Tyrconnel were asserted to be the principal agents.* It was pretended to be from a Catholic, who had been tampered with by the traitors, and whom they had endeavoured to seduce into the conspiracy, but whose loyalty rendered him incorruptible. The conspirators, it was stated in the letter, had determined on poisoning the deputy, cutting off Sir Oliver Lambert, picking up, one by one, the rest of the officers, starving

* The import of the letter was as follows: "That the writer was called into company by some Popish gentlemen, who, after administering an oath of secrecy, declared their purpose, to murder or poison the deputy; to cut off Sir Oliver Lambert; to pick up one by one the rest of the officers of state; to oblige the small dispersed garrisons by hunger to submit, or to pen them up as sheep in their shambles. That the castle of Dublin, being neither manned nor victualled, they held as their own; that the towns were for them and the country with them, the great ones abroad, and in the North, prepared to answer the first alarm; that the powerful men in the West are assured by their agents to be ready as soon as the state is in disorder. That the Catholic king had promised, and the Jesuits from the Pope had warranted, men and means to second the first stirs, and royally to protect all their actions. That as soon as the state is dissolved, and the king's sword in their hands, they will elect a governor, chancellor and council; despatch letters to king James I. trusting [from] his unwillingness to embark in such a war, and to his facility to pardon, [that he] would grant their own conditions of peace and government, with toleration of religion: that if the king listen not to their motions, then that the many days spent in England in debates and preparations would give them time enough to breathe, fortify, and furnish the maritime coasts; and at leisure call to their aid the Spanish forces from all parts." The writer of the letter declares, "that he interposed some doubts on them, which they readily answered; and he pretended to them to consent to further their projects, and that he took the method of this letter, to give notice of their designs, though he refused to betray his friends; in the meantime, he would use his best endeavours to hinder any further practices." And he concludes, "That if they did not desist, though he reverenced the mass and catholic religion equal to any of them, yet he would make the leaders of that dance know, that he preferred his country's good before their busy and ambitious humours."—Plowden, I. App. 48.

the garrisons,* &c. &c. It is a stupid and clumsy performance, and carries the strongest marks of fabrication on its face.

This trick of fabricating plots, and dropping letters to betray them, forms an important feature in the history of the oppressions of the Irish, as it was a potent and infallible instrument to crush and destroy them.

In this affair there is a degree of mystery, which, at this distance of time and place, and in the wretched state of Irish history, it is impossible to develop. Means were used to terrify the earls, who fled to the continent. They might, it is true, have been guilty, and have fled through consciousness of their crimes: but it is to the last degree unlikely: for, as Leland observes,

"It seems extraordinary, that the northerns, who were still smarting under the chastisement they had received in the late rebellion, whose consequence and influence were considerably diminished, and who were very lately reconciled to government, should precipitately involve themselves in the guilt of a new rebellion."—Leland, II. 498.

And it will not be denied, that, if they were guilty, there would have been some evidence to substantiate their guilt, which never was produced: for it is hardly within possibility, that a plot of so great magnitude as was pretended, should have existed, without affording such evidence. James I. finding the clamour that was excited in Europe, by the rapacious spoliations and depredations practised in Ulster, issued a proclamation, in which he lavished the most scurrilous abuse on the earls, utterly destitute of truth. He charged them, among other things, with regarding "*murder as no fault, marriage of no use, nor any man worthy to be esteemed valiant that did not glory in rapine or oppression!!!*"† This tirade is as excessively gross and unseemly, as it is wholly destitute of truth, and is a disgrace to the memory of the monarch. There never was a period in Ireland, that could justify this Billingsgate attack.

Dr. Leland, assuming that the earls published no vindication of themselves, seems disposed to infer from thence, that their silence arose from the consciousness of their guilt, which made them acquiesce in the justice of their fate. But there is no satisfactory proof of this silence: for the non-appearance of such a vindication, above a hundred and thirty years afterwards, in the time of Leland, is by no means to be admitted as a proof, or even a presumption, that it was not published; and far less will it warrant the inference that the doctor is willing to draw from it. Rapin states, that they "*gave out* that the outrages committed on the Catholics had induced them to leave their country."‡ He does not state in what form they "*gave out*" this defence: whether orally or in a written vindication. The latter, however, is the more probable course. But we have no proof that this was the reason they "*gave out*" for their flight: it rests on the single declaration of

* "*A letter dropt in the Privy Council Chamber*, intimated a traitorous scheme of rebellion formed by the earls of Tyrone and Tyrconnel, and other Irish lords and gentlemen of the north; that they had solicited assistance from Spain and Brussels, and intended to begin the war with surprising the castle of Dublin, and assassinating the lord deputy and council."—Leland, II. 498.

† Leland, II. 500.

‡ Rapin, VIII. 69.

Rapin: and the various instances we have seen of the characteristic infidelity and illiberality of the historians of Irish affairs, in plain and simple points, impose on us an imperious duty to receive their accounts with great circumspection, in cases involved in difficulty or uncertainty.*

An account of the discovery of the conspiracy, entirely different from the foregoing, has been published: for the trick of the letter was found to be too gross, and had been worn threadbare. It is stated by Carleton, bishop of Chichester, that the Earl of Tyrone having possessed himself of some lands belonging to the bishop of Meath, the latter applied to O'Cahen, one of the conspirators, for information on the subject of those lands, which he promised to furnish. The bishop accordingly brought him to Dublin, to give testimony on the subject. Process was issued against the earl, ordering him to appear in that city, to answer the bishop of Derry's claim,† but without reference to any

* On this question, the reasoning of Dr. Curry is so strong and conclusive, that there needs no apology for laying it before the reader:

"The king himself was so apprehensive that this affair of the earls 'might blemish,' (as he expresses it, in a proclamation on that occasion,) 'the reputation of that friendship which ought to be mutually observed between him and other princes, that he thought it not amiss to publish some such matter, by way of proclamation, as might better clear men's judgments concerning the same.' At the same time solemnly promising 'that *it should appear to the world as clear as the sun, by evident proof*, that the only ground of these earls' departure, was the private knowledge and inward terror of their own guiltiness.' But neither in that proclamation, nor in any other authentic instrument, nor in any manner whatever, did his majesty deign, ever after, to enlighten the world, even with *the least glimpse of evident proof*, that such was the only motive of these earls' departure. And I shall leave it to the decision of every candid reader, whether the non-performance of his majesty's solemn promise be not a better negative proof of the nullity and fiction of this conspiracy of the earls, than the bare non-appearance of a memorial in their vindication can be deemed of its reality."—Curry, I. 86.

† "Tyrone, understanding the bishop sought to recover the lands of the bishopric, told the bishop thus much, 'My lord, you have two or three bishoprics, and yet you are not content with them: you seek the lands of my earldom.' 'My lord,' quoth the bishop, 'your earldom is swoln so big with the lands of the church, that it will burst, if it be not vented.'

"The bishop, intending in a lawful course to recover the lands lost, found that there was no man could give him better light and knowledge of those things than O'Cane, who had been great with Tyrone; and to make use of him was a matter of difficulty: yet some means being used to him, he came of his own accord to the bishop, and told him that he could help him to the knowledge of that which he sought: but he was afraid of Tyrone. 'Nay,' said the bishop, 'I will not trust you; for I know that one bottle of aqua vitæ will draw you from me to Tyrone.'

"Whereupon he took a book, and laid it on his head, saying, '*Ter luiro, ter luiro*,' which, my lord of Meath said, (who told me this story,) is one of the greatest kinds of affirming a truth which the Irish have: and after this ceremony performed, they keep their promise.

"O'Cane, using this ceremony, promised to reveal all that he knew in that matter, if he would, on the other side, promise him to save him from the violence of Tyrone, and not to deliver him into England; which he promised to do.

"Whereupon the bishop resolved *to bring him to the council of Ireland*, there to take his confession. Thus they coming peaceably to the council, the confession of O'Cane was taken. After this, *process was sent to Tyrone, to warn him to come, at an appointed time, to answer to the suit of the lord bishop of Derry.* There was no other intention then but *in a peaceable manner to bring the suit to a trial!* But behold the burden of an evil conscience! Tyrone had entered into a new con-

conspiracy or *dropped letter*. "There was no other intention then," according to the bishop of Chichester, "but in a peaceable way to bring the suit to a trial:" for, let it be well-weighed, as all-important in deciding on this subject, "THE COUNCIL THEN KNEW NOTHING OF THE CONSPIRACY."

These accounts are in direct opposition to each other, and prove the rottenness of the affair. Dr. Carleton's narrative is a wretched, improbable tale: but if it were true, then the story of the *dropped letter* is obviously a falsehood: and if the letter were really dropped, and led to the discovery of the conspiracy, then is the bishop's account false. We leave the reader to settle the question of fraud and imposture between them; and venture to submit what appears a much more rational view of the affair than is given by either of the statements.

The greedy courtiers, who finally obtained possession of the immense estates of the earls, were hungering after them, and anxious to devise some pretext for a seizure. They had recourse to the clumsy contrivance of the letter, the contents of which were probably magnified and exaggerated to the most extravagant degree, accompanied with rumours and threats of a rigorous course to be pursued with those noblemen, if they came to Dublin; at the same time issuing process for Tyrone to appear there. Thus he and those implicated with him in the *dropped-letter*-contrivance, were placed in the dilemma, to attend, and probably be attainted, or to refuse and be proclaimed rebels and traitors, and pursued with fire and sword, as was the usual mode of proceeding in such cases. In these trying circumstances, they fled for safety to the continent. But so far as the spoliation of the unoffending inhabitants of Ulster is concerned, it is of little importance what construction the reader puts on this statement. Without any concern whether it be admitted or rejected, it is barely submitted for consideration, as a far more probable solution of the mystery, than the letter-dropping affair, or the idle story of a Catholic conspirator betraying his dearest friend and accomplice, and running voluntarily into danger of his neck and estate, to make discoveries of property belonging to, and for the benefit of, an entire stranger, and a Protestant.

However the question of the guilt or innocence of the earls may be determined, it does not affect the character of the proceedings of King James, after "*their fugacy*," as it is quaintly termed by Sir Thomas Philips. Those proceedings displayed such a flagitious spirit of depredation, such a total disregard of private right and the calls of humanity, such a wanton waste of human happiness, and such base hypocrisy, in cloaking it with a regard for the civilization and the eternal happiness of the natives, as can scarcely be exceeded in the history of human injustice, and warrants the most unqualified reprobation.

spiracy, to raise another rebellion: of this conspiracy was O'Cane. *This thing was secret:* THE COUNCIL KNEW NOTHING OF IT! Tyrone, *being served with process to answer the suit, began to suspect that this was but a plot to draw him in!* that surely all the treason was revealed by O'Cane, whom he knew to be of the conspiracy; that the pretence was a process and a trial in law, but THE INTENT WAS TO HAVE HIS HEAD!! Upon this bare suspicion, Tyrone resolved, with such other as was in the conspiracy, to fly; and thereupon fled out of Ireland, with his confederates, and left all those lands in the north of Ireland."—CARLETON, 233.

For, admitting the guilt of the earls to have been fully and completely established, even judicially, they and their accomplices alone ought to have suffered for it. It was a violation of every principle of honour and justice, to involve the innocent with the guilty,—to proscribe indiscriminately the entire population of six out of the thirty-two counties contained in the kingdom. This was the course pursued in the plantation of Ulster, of which such erroneous statements have been made in all the histories that embrace the reign of James I. with hardly an exception.

By the "*fugacy*" of the earls, every man in the six counties was regarded as having at once, ipso facto, forfeited his lands, which became vested in the crown! to be granted, at the pleasure of the monarch, to whomsoever, and on whatsoever terms, he judged proper!!!

There were three divisions made of the unholy spoils:

First to "English and Scotch, who are to plant their proportions with English and Scottish tenants;"

Secondly, to "servitors in Ireland, who may take English or Irish tenants at their choice;"

Thirdly, to "natives of those counties, who are to be freeholders." —*Hibernica*, 53.

The largest and fairest portion of the lands was bestowed on the favoured few of the first class;* to the next were bestowed those of the second quality; and the despoiled Irish were planted on those of inferior quality.

But a malignant feature of this transaction remains behind,—a feature unique in its character. The wretched Irish, victims of a vile and rapacious scheme of depredation, deprived of their paternal homes, and exiled to the most sterile spots, were barbarously cut off from all chance of ever regaining their possessions; as the undertakers and servitors were bound, under penalty, never to sell to the "mere Irish,"†

* *Orders and Conditions of the Plantation of Ulster.*

"8. That in the surveys, observation be made what proportions, by name, are fittest to be allotted to the Britains; what to the servitors; and what to the natives; wherein this respect is to be had, that *the Britains be put in places of best safety;* the natives to be dispersed; and *the servitors planted in those places which are of greatest importance to serve the rest.*"—Hibernica, 70.

† *Articles concerning the undertakers.*

"7. The said undertakers, their heirs and assigns, shall not alien or demise their portions, or any part thereof, *to the mere Irish*, or to such persons as will not take the oath, which the said undertakers are bound to take by the former article: and to that end, a proviso shall be inserted in their letters patents.

"10. The said undertakers shall not alien their portions during five years next after the date of their letters patents, but in this manner, viz. one third part in fee-farm; another third part for forty years or under; reserving to themselves the other third part without alienation, during the said five years. But *after the said five years, they shall be at liberty to alien to all persons* EXCEPT THE MERE IRISH, and such persons as will not take the oath which the said undertakers are to take as aforesaid!!!"—*Hibernica*, 66.

Articles concerning the servitors.

"They shall take the oath of supremacy, and be conformable in religion as the former undertakers.

"9. They [the servitors] shall not alien their portions, or any part thereof, *to the mere Irish*, or to any such person or persons as will not take the like oath, as the said undertakers were to take as aforesaid; and to that end a proviso shall be inserted in their letters patents."—*Idem*, 65.

nor to Roman Catholics of any nation: for the disposal to persons who did not take the oath of supremacy, and "*conform themselves in religion according to his majesty's laws*,"† was rigorously prohibited and punished.

Now, reader, are you not petrified with astonishment, at this view of the grand and magnificent scheme, which has immortalized the memory of the first Stuart that wielded the triple sceptre of the British dominions?

To bring this point home to the feelings of an American reader, I venture to state an analogous case, to which I request particular attention.

Suppose that the resistance of America, in 1776, had terminated as fatally as the various insurrections of the Irish have done; or, to come nearer to the true state of the case, to make the analogy more complete, suppose a wild, incoherent letter had, in 1774, been dropped in the court of St James's, accusing George Washington, John Hancock, Samuel Adams, Thomas Jefferson, Patrick Henry, and Peyton Randolph, of a conspiracy; that such threats were held out, and such underhand means used, as to induce them to have recourse to "*fugacy;*" that in consequence of their flight, George III. imitating the pious example of James I. had seized on the entire provinces of Virginia and Massachusetts; had taken the inhabitants, like so many merino sheep, and planted, in the Dismal Swamp, North Carolina, those whose ancestors, for time immemorial, had had lordly palaces in the great Limestone valley, and in Massachusetts: and suppose further, that those wretched victims planted in the Dismal Swamp, were condemned to vegetate there, and that the depredators on their possessions were bound, under heavy penalties, never to sell any part of their own lands to them; suppose, too, that a large portion of the ill-fated inhabitants, who could not be placed advantageously in the Dismal Swamp, were "transported into such other parts,* as, by reason of the waste land therein, were fittest to receive them, and not planted together in one place." What judgment would he form of such an odious system of barefaced rapine and cruelty? Would he not regard it as a violation of the most holy and sacred rights of human nature, and as branding with infamy the vile projectors of the spoliation and their accomplices? Such a judgment ought he to form of the "*famous northern plantation, so honourable to the king;*"‡ and ought not the historians who have not merely palliated, but justified and eulogised, such unjust proceedings partake of the disgrace of those whose crimes they dared to vindicate?

Who that has understanding to judge between right and wrong—or a heart to feel for the ill-fated victims of tyranny, oppression, rapine, and cruelty, can peruse these monstrous details, without execrating the memory of the wretched monarch?

The reader is shocked with this detail. He wishes it drawn to a close. He supposes he has learned all its odious features, and that it

* "The sword-men are to be transported into such other parts of the kingdom, as, *by reason of the waste land therein*, are fittest to receive them: namely, into Connaught and some parts of Munster; where *they are to be dispersed*, and not planted together in one place: and such sword-men as have not followers, nor cattle of their own, *to be disposed of in his majesty's service*."—Hibernica, 55.

† Hibernica, 70.

‡ Leland, II. 504.

is impossible to add a shade to its deformity. But he is quite mistaken; one of the vilest remains to be stated. The wretched natives, thus plundered, thus defrauded of their patrimonial inheritance, were still further plundered, and defrauded of a large portion of the shabby "equivalent," as it was called. In some cases, they did not receive above a half or a third, and in some no part whatever, of what was intended for them by the wretched monarch by whom the spoliation had been perpetrated.

It is deeply to be regretted, and reflects everlasting disgrace on the parties concerned, that the views of James, limited as they were in point of justice to the oppressed Irish, were in a great measure rendered nugatory, and defeated; and though "some, indeed, were allowed to enjoy a small pittance" only of the lands reserved for them by this monarch,

"*Others were totally ejected.*" "The resentments of the sufferers were in some cases exasperated, by *finding their lands transferred to hungry adventurers, who had no services to plead,* and sometimes to those who had been rebels and traitors!" —Leland, II. 546.

After a careful perusal of the foregoing view of the lawless and predatory means by which James possessed himself of so fair a portion of Ireland, and the atrocious injustice whereby the settlement was regulated, what must be the astonishment, how great the indignation, of the candid and upright, to read the deceptious and encomiastic manner in which the affair is blazoned forth by all the historians who have treated on it! Had James civilized a nation of fierce barbarians, without offering the least violence to their persons, the least injustice to their property—had he framed for them a code of laws worthy of the united wisdom of Moses, Lycurgus, Solon, Minos, Numa Pompilius, and Alfred—had he settled them on lands of his own, and bestowed abundant means of cultivation, he would not be entitled to higher encomiums than are lavished on acts which, so far as the rights of property are concerned, have far more of the character of Blackbeard, the pirate, than of Alfred or William Penn, and which deserve the severest strains of indignant reprobation!

"To consider James in a more advantageous light," says Hume, "we must take a view of him as *the legislator of Ireland:* and most of the institutions which he had framed for civilizing that kingdom, being finished about this period, it may not here be improper to give some account of them. He frequently boasts of the management of Ireland as his masterpiece; and it will appear upon inquiry, that *his vanity in this particular was not altogether unfounded!*"—Hume, III. 306.

"After abolishing these Irish customs, and substituting English law in their place, James, *having taken all the natives under his protection,* and declared them free citizens, proceeded to govern them by a regular administration, military as well as civil!"—*Idem,* 307.

Here is a portrait, as like the real state of the case, as the reign of Nero was like that of Marcus Aurelius. After having despoiled an entire sixth part of the nation of their property,—after having dispersed them here and there, as suited his purpose,—after having transported a large portion of them to the wild wastes of Connaught and Munster,—after having impressed into his armies such of them as "had no cattle or followers of their own," we are mocked with the absurd falsehood, that "*he took them under his protection;*" just such "protection" as the lawless pirate extends to the peaceful mariners on board an unarmed merchant vessel.

Leland, of whom we have so frequently had occasion to make honourable mention, runs the same race of candour, and arrives at the same goal of truth, as Hume. He bestows not one word on the turpitude of plundering, probably one hundred and fifty thousand people of their patrimony, for the crimes of two great men, never proved, never attempted to be proved, and resting wholly on a ridiculous, absurd, and anonymous letter, or a tale equally absurd, which is incompatible with the story of the letter; which crimes, if proved, ought not, I beg leave to repeat, to have involved the innocent people, who were offered up on the altars of rapine.

"James, who affected to derive his glory from the arts of peace, resolved to dispose of those lands in such manner as might introduce all the happy consequences of peace and cultivation. *The experience of ages bears the most honourable testimony to the design!!* and Ireland must acknowledge, that here were the first foundations laid of its affluence and security."—LELAND, II. 545.

"Such was the general scheme of this *famous northern plantation!! so honourable to the king!!* and of such consequence to the realm of Ireland."—*Idem*, 512.

"The passion for plantation which James indulged, *was actuated by the fairest and most captivating motives.* He considered himself as the destined reformer and civilizer of a rude people; and was impatient for the glory of teaching a whole nation the valuable arts of life; of improving their lands, extending their commerce, and refining their manners."—*Idem*, 545.

The cravings of the lawless passion for spoliation and plantation, with which James was devoured, were by no means lulled to rest, when he had exhausted the pretences of conspiracy. He broke new ground; and availed himself of claims arising from the conquest of Henry II: and of concessions made by that monarch, to despoil those whose ancestors had been in undisturbed possession for centuries. To this system of rapine the polished Leland devotes ten lines, without one decisive word of censure or disapprobation. It is true, he hints that all is not exactly as it should be.

"In the pursuit of this favourite object, he *had sometimes recourse to claims which the old natives deemed obsolete and unjust!!* The seizure of those lands, whose possessors *had lately meditated* rebellion, and fled from the sentence of the law, produced little clamour or murmuring!! But when he recurred to the concessions made to Henry II. *to invalidate the* TITLES DERIVED FROM A POSSESSION OF SOME CENTURIES, the *apparent severity!!!* had its full effect on those who were not acquainted with the refinements of law, and not prepossessed in favour of the equity of such refinements, when employed to divest them of their ancient property!"—*Ibid.*

To this sentence the reader's attention is specially invited. When Leland informs us, that the natives "*deemed*" the king's "claims unjust," it is fair to infer, that he himself believed them just, or at least that there was doubt on the subject. But what was the nature of those claims? They are stated by Leland himself, at the close of the sentence. They were grounded on concessions four hundred years old. Yet of those claims, which, if universally admitted, would forfeit nearly the whole globe, this candid and impartial writer simply informs his abused reader, that "the old natives" [were so unreasonable that they] "*deemed them unjust!*" The interpolated parenthesis in this sentence is, I think, by no means forced or strained. It is the natural form in which the phraseology presents itself to the mind's eye.

The term "apparent severity" would be appropriately applied to the rigorous exaction of a heavy fine fairly incurred; to the unrelenting

infliction of the full measure of punishment for crimes committed, or to the confiscation of property duly forfeited; but it is a miserable departure from historical justice, to apply it, as in the present instance, to an act of absolute regal robbery; for the dispossession of persons whose families had undisputed "possession for centuries," on such grounds as Leland states, is undoubted robbery. What would be said of the historian who should descant on the "apparent severity" of Blackbeard or Morgan, the pirates, in their attacks on the defenceless inhabitants of Lima or Cuzco, or the "apparent severity" of William III. in the massacre of Glenco, or the persecution and ruin of the ill-fated Scotch colony at Darien?

Before the poor plundered people were expelled from their homes and farms, and turned adrift on the world, they made a legal effort to prove the wickedness and injustice of the procedure; "to maintain," in the language of Sir John Davies, "that they had estates of inheritance in their possessions, which their chief could not forfeit." Sir John, the attorney-general, pleaded against their claims; and has fortunately left on record his speech on the subject,* which exhibits a most ex-

* "The inhabitants of this country do border upon the English Pale, where they have many acquaintances and alliances; by means whereof they have learned *to talk of a freehold and of estates of inheritance, which the poor natives of Fermanagh and Tyrconnel could not speak of;* although these men had no other nor better estate than they; that is, only a scambling and transitory possession, at the pleasure of the chief of every sept.

"When the proclamation was published touching their removal, (which was done in the public Sessions-House, the lord deputy and commissioners being present,) a lawyer of the Pale, retained by them, did endeavour *to maintain that they had estates of inheritance in their possessions*, which their chief lords could not forfeit; and therefore, in their name, desired two things; first, that they might be admitted to traverse the offices which had been found of those lands; secondly, that they might have the benefit of a proclamation made about five years since, whereby the persons, lands, and goods, of all his majesty's subjects, were taken into his royal protection.

"To this the king's attorney, being commanded by the lord deputy, made answer: That he was glad that this occasion was offered, of declaring and setting forth *his majesty's just title!* as well for his majesty's honour, (who, BEING THE MOST JUST PRINCE LIVING! WOULD NOT DISPOSSESS THE MEANEST OF HIS SUBJECTS WRONGFULLY, TO GAIN MANY SUCH KINGDOMS!!!) as for the satisfaction of the natives themselves, and of all the world; for his majesty's right, it shall appear, said he, that his majesty may and ought to dispose of these lands, in such manner as he hath done, and is about to do, *in law, in conscience, and in honour!!!*

"In law; whether the case be to be ruled by our law of England, which is in force, or by their own Brehon law, which is abolished, and adjudged no law, but a lewd custom.

"It is our rule in our law, that *the king is lord paramount of all the land in the kingdom, and that all his subjects hold their possessions of him, mediate or immediate!!!*

"It is another rule of our law, that where the tenant's estate doth fail and determine, the lord, of whom the land is holden, may enter and dispose thereof at his pleasure.

"Then those lands in the county of Cavan, which was O'Rilie's country, are all holden of the king; and because the captainship or chiefrey of O'Rilie is abolished by act of Parliament, by stat. 2. of Elizabeth; and also because two of the chief lords elected by the country have been lately slain in rebellion, (which is an attainder in law,) these lands are holden immediately of his majesty.

"If then the king's majesty be immediate chief lord of these lands, let us see what estates the tenants or possessors have, by the rules of the common law of England.

traordinary specimen of chicane and quibble, that would have better become an Old Bailey pettifogging attorney, than such a high and responsible officer of the crown. He sought to convince them, that "his

"Either they have an estate of inheritance or a lesser estate: a lesser estate they do not claim; or if they did, they ought to show the creation thereof, which they cannot do.

"If they have an estate of inheritance, their lands ought to descend to a certain heir; but neither their chiefries nor their tenancies did ever descend to a certain heir; therefore they have no estate of inheritance!

"Their chiefries were ever carried in a course of tannistry to the eldest and strongest of the sept, who held the same during life, if he were not ejected by a stronger.

"This estate of the chieftain or tannist hath been lately adjudged no estate in law! but only a transitory and scrambling possession.

"Their inferior tenancies did run in another course, like the old gavelkind in Wales, where the bastards had their portions, as well as the legitimate; which portion they held not in perpetuity; but the chief of the sept did once in two or three years shuffle and change their possessions, by new partitions and divisions; which made their estates so uncertain, as that by opinion of all the judges in this kingdom, this pretended custom of gavelkind is adjudged and declared void in law!

"And as these men had no certain estates of inheritance, so did they never till now claim any such estate, nor conceive that *their lawful heirs* should inherit the land which they possessed!!!! which is manifest by two arguments.

"1. *They never esteemed lawful matrimony, to the end they might have lawful heirs!!!*

"2. *They never did build any houses, nor plant orchards or gardens, nor take any care of their posterities!!!*

"IF these men had no estates in law, either in their mean chiefries or in their inferior tenancies, it followeth that *if his majesty*, who is the undoubted lord paramount, *do seize and dispose these lands*, they can make no title against his majesty or his patentees, and consequently cannot be admitted to traverse any office of those lands! for without showing a title, no man can be admitted to traverse an office.

"*Thus then it appears, that as well by the Irish custom as the law of England, his majesty may, at his pleasure, seize these lands, and dispose thereof!!!* The only scruple which remains, consists in this point; whether the king may, *in conscience or honour, remove the ancient tenants*, and bring in strangers among them.

"Truly his majesty may not only take this course lawfully, *but is bound in conscience so to do!!!*

"For, being the undoubted rightful king of this realm, so as the people and land are committed by the Divine Majesty to his charge and government, his majesty *is bound in conscience* to use ALL LAWFUL AND JUST COURSES! to reduce his people from barbarism to civility! the neglect whereof heretofore hath been laid as an imputation upon the crown of England. Now *civility cannot possibly* be planted among them" [without plundering them of their estates] "but by this mixed plantation of civil men, which likewise could not be without *removal and transplantation of some of the natives*, and settling of their possessions in a course of common law; for if themselves were suffered to possess the whole country, as their septs have done for many hundreds of years past, they would never, to the end of the world, *build houses, make townships or villages, or manure or improve the land as it ought to be!!!!* therefore *it stands neither with Christian policy nor conscience*, to suffer so good and fruitful a country to lie waste like a wilderness, when his majesty may lawfully" [reduce the right owners to beggary, and] "dispose it to such persons as will make a civil plantation thereupon!!!

"Again: *his majesty may take this course* IN CONSCIENCE; because *it tendeth to the good of the inhabitants many ways!!!* for half their land doth now lie waste: by reason whereof that which is inhabited is not improved to half the value; but when the undertakers are planted among them, (there being place and scope enough both for them and for the natives,)" [yet a large portion of them were transported to the wild wastes in Connaught and Munster,] "and that all the land

majesty was *the most just prince living*, and would not *dispossess* the meanest of his subjects wrongfully, to gain many such kingdoms!" This was a very handsome and suitable exordium to a discourse intended to justify the *dispossession* of probably a hundred and fifty thousand subjects, great and mean together. As a proper corollary to this, he declared, that "his majesty not only might, but absolutely ought to dispose of the lands as he had done, in law, in conscience, and in honour," although the transaction was a gross and palpable violation of the plainest, and most palpable "rules of law, conscience, and honour." He gravely urged, that they had "no certain estates of inheritance," which, he says, "is manifest by two arguments," the utter fallacy and absurdity of which cannot fail to strike the reader with great force. The first is,

That "they never esteemed lawful matrimony! to the end they might have lawful heirs!!!"

And the second,

That "*they never did build any houses, nor plant orchards, or gardens!!! nor take any care of their posterities!!!*"

Who can read such miserable chicanery, without ineffable disgust at the impudence, and abhorrence of the fraud and imposture, which attempted to justify the spoliation of possessions, many of which had descended from father to son for perhaps five hundred or a thousand years, because the owners did not "*esteem lawful matrimony*," nor "*plant orchards or gardens, nor build any houses?*" and this covered over with the hypocritical mantle of "*law, conscience, and honour?*"

Not satisfied with this reasoning, he undertook to prove, that the plantation was absolutely for the good of the natives; for that by this agrarian hocus pocus, five hundred acres thenceforward would produce more than five thousand had previously done. It followed of course, that the man who was plundered of four thousand five hundred acres out of five thousand, was actually, according to this logic, if not a gainer, at least not a loser by the robbery!!!

He closes his discourse by asserting, that the transplantation of the natives was made "more *like a father*, than like a lord or monarch!" In proof of this position, he displays great learning on the transplantation of nations by the Romans, the Spaniards, and the English them-

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shall be fully stocked and manured, *five hundred acres will be of better value than five thousand are now!* Besides, where before their estates were altogether uncertain and transitory, so as their heirs did never inherit! they shall now have certain estates of inheritance, the portion allotted unto them, which they and their children after them shall enjoy with security.

"Lastly, this transplantation of the natives is made by his majesty, *rather like a father than like a lord or monarch!!!* The Romans transplanted whole nations out of Germany into France; the Spaniards lately removed all the Moors out of Grenada into Barbary, without providing them any new seats there: *when the English Pale was first planted, all the natives were clearly expelled, so as not one Irish family had so much as an acre of freehold in all the five counties of the Pale!!!* and now, within these four years past, the Græmes were removed from the borders of Scotland to this kingdom, and had not one foot of land allotted to them here; but these natives of Cavan have competent portions of land assigned to them, many of them in the same barony where they dwelt before: and such as are removed, are planted in the same county; so as *his majesty doth in this imitate the skilful husbandman, who doth remove his fruit trees, not with a purpose to extirpate and destroy them, but that they may bring better and sweeter fruit after the transplantation!!!*—Davies, 276.

selves in former times; and states, that when the English Pale was first planted, the natives were so wholly expelled, that "*not one Irish family had so much as an acre of freehold in all the five counties.*"* This argument ought to have removed all doubts from the minds of the plundered Irish; as it proved that James only "followed suit" with the original invaders, the English, who had, from time immemorial, a prescriptive right to seize their lands, and not leave them so much as "one acre of freehold," if they judged proper; and, of course, that James I. proved himself "a father," when he refrained from availing himself of his rights to their full extent, and only robbed them of three-fourths of the best of their patrimonial estates.

The whole of the argument, if such miserable quibbles and balderdash can be called argument, is to be found in the preceding note. I have given it *in extenso*, to afford the reader a fair sample of the "law, conscience, and honour," displayed towards the "savage Irish," during the millenium of forty years, when, as we shall see in a subsequent page, Clarendon asserts, that "whatsoever their land, labour, or industry produced, was their own, being free from fear of having it taken from them by the king, on any pretence whatsoever!!!!"

Although the extreme fallacy of the logic of Sir John Davies in this speech, are too plain and palpable to require refutation, yet there is one point so very barefaced that it ought not to be passed over without exposure. The statements here given of the Irish character, are diametrically opposite to, and utterly incompatible with, the very flattering picture he drew of them in another part of his work. In order to show the inconsistency and disregard of truth, which prevail even among the most respectable of the Old English writers on Ireland and Irishmen, I venture to repeat and place in contrast, two different statements of Sir John, who, nevertheless, it must be acknowledged, was among the most candid of those writers for centuries.

Sir John Davies	*versus*	*Sir John Davies.*
"*Civility can not possibly be planted among them but by this mixed plantation of civil men.*"—DAVIES, 281. This is clearly assuming that they were savage barbarians, who required to be dispossessed of their property to introduce civilization among them.		"*In time of peace the Irish are more fearfull to offend the law than the English or any other nation whatsoever.*"—Idem, 201. "*There is no people under the sun that doth love equal and indifferent justice better than the Irish—or will rest better satisfied with the execution thereof, although it be against themselves*, provided they may have the protection and benefit of the law, when upon just cause they do desire it."—*Idem*, 213.

On a calm comparison of these statements, it is impossible not to feel pity for Sir John, if he was a man of honourable principles, to be obliged by his office of attorney-general, to palliate or justify the piratical proceedings of his rapacious monarch. It must have cost him a severe struggle. Nothing can more fully prove the extreme injustice

* If this account be correct, it evinces how early the system of depredation on the Irish commenced—to what a sweeping extent it was carried—and what cause the nation had to curse the lust of Dermod M'Murrough, King of Leinster, which led to the fatal invasion of Ireland.

of the procedure, than the miserable defence offered by a man of such splendid talents.

It is extraordinary that the Bœotian dulness of the Irish rendered them incapable of comprehending the cogency of Sir John Davies's reasoning: it was too elegant and refined for their uncultivated minds. The poor idiots could not conceive why they should be stripped of their estates, and expelled from house and home, because an anonymous and absurd letter had been dropped in the Privy Council Chamber.

The lord deputy, however, had stronger, and far more irresistible arguments than Sir John, to which they were forced to submit:

"The natives seemed not unsatisfied in reason, though they remained in their passions discontented, *being much grieved to leave their possessions to strangers*, which they had so long after their manner enjoyed; howbeit, MY LORD DEPUTY DID SO MIX THREATS WITH ENTREATY, PRECIBUSQUE MINAS REGALITER ADDIT, as they promised to give way to the undertakers, if the sheriff, by warrant of the commissioners, did put them in possession."—DAVIES, 284.

He judiciously "mixed *threats* with entreaties, *precibusque minas regaliter addit?*" that is, in the true polite Tyburn style, persuasion on the tongue, and the pistol in hand. Whatever difficulty there might be in yielding to the one, was removed by the application of the other. No mode of conviction is so powerful. Make a low bow, with *entreaties*, and add *threats*, properly supported, in case of refusal. He must have been a most stubborn disputant, who could resist the conviction arising from the overwhelming arguments of the deputy, with an army at his command, the power of proclaiming martial law at pleasure, and the executioner ready to support his reasoning with a rope or an axe. Neither Demosthenes, Cicero, Burke, Pitt, Fox, nor Patrick Henry, could withstand such logic.

It were endless to recapitulate the odious features of the "*magnificent project*" of this rapacious monarch. With one more, I shall close the catalogue of rapine and oppression.

The adjustment of the rent, payable by the different descriptions of persons to whom these lands were allotted, affords a striking instance of gross partiality and injustice, and of a most wanton and reckless disregard of even the common forms of honesty. The undertakers, who had the choicest portions of the soil, were to pay to the crown a rent of six shillings and eight-pence, for every sixty acres; the servitors, ten shillings; but the natives, plundered of their paternal estates, and reduced from the enviable condition of independent freeholders to that of tenants, were to pay thirteen shillings and four-pence!* That is to say, the despoiled owners of the soil were to pay exactly double the rent for inferior lands, which the despoilers paid for the superior! and, to add to the iniquity, the undertakers and servitors were to pay no rent till the third year, being rent-free for two years; whereas the natives were to pay the second year, being rent-free only one year!

* Hibernica, 66.

CHAPTER XII.

The Egyptians spoiled once more. Regal rapine, in the King's and Queen's counties, Leitrim, Longford, and Westmeath. Three hundred and eighty-five thousand acres seized under the hypocritical and canting pretence of civilizing the natives; but in violation of every principle of honour, honesty, justice and religion.

"Not e'en the high anointing hand of heav'n
Can authorize oppression; give a law
For lawless pow'r; wed faith to violation;
On reason build misrule, or justly bind
Allegiance to injustice."—BROOKE.

JAMES's predominating passion for plunder and plantation had been tolerably satisfied with the spoliation of Ulster, where, by a princely exercise of "*law, honour, and conscience,*" he had involved in ruin the once proud owners of princely estates; raised to rank and fortune many of the lowest orders of society, whose lives had been one continued scene of rapine and plunder; and, in a word, changed the whole face of the country. He for a while rested from his labours: but the devouring lust of plunder and plantation returned; and, being too imperiously craving to be resisted, he resolved to gratify it. Encouraged by the facility with which he had effected his unhallowed spoliations in Ulster, he displayed himself, on this occasion, in the bold character of a public depredator, scorning disguise or artifice. It was thought unnecessary to hire *letter-droppers*, or false witnesses, to swear to plots or conspiracies. Without any of the tricks played off by his predecessors, or, in the province of Ulster, by himself, he plundered his subjects, in King's and Queen's counties, Leitrim, Longford, and Westmeath, of estates to the amount of three hundred and eighty-five thousand acres. Thus this miserable monarch, in a time of profound peace, at two successive operations, seized about the twentieth part of the whole island; five hundred thousand acres in Ulster, and three hundred and eighty-five thousand in Leinster: and it is more than probable, that, had his inglorious career continued as long as that of some of his successors, he would have seized every acre of the island, belonging to the Roman Catholics; for, after his depredation in Leinster was completed, he was seriously occupied in preparations for the plantation of Connaught,* when death humanely rescued his Irish subjects from the merciless gripe of a canting, hypocritical oppressor, who had, throughout his reign, plundered them as "*a father, not as a monarch,*" and, according to the sovereign dictates of "*law, honour, and*

* "The project recommended to the king was nothing less than that of establishing *an extensive plantation in Connaught,* SIMILAR TO THAT OF ULSTER; and, *in his rage for reformation,* IT WAS MOST FAVOURABLY RECEIVED."—LELAND, II. 558.

conscience" reduced them to beggary here, for "the good of their souls," hereafter!

But, as it was only "*spoiling the Egyptians*," it is passed over by Leland, Carte, and Hume, not merely as an innocent, but as a necessary measure; nay, it appears from their statements as entitled to applause.

Leland informs us, that those counties, "by their situation and circumstances, required particular regulation." And what was the "*particular regulation*," which they underwent? It was simply that the rights of property, held sacred among the most barbarous nations, the Moors and Algerines, were basely invaded by a wretched monarch, fraudulently ranked among the civilizers and benefactors of mankind:

"Naturally strong, and difficult of access, they afforded, in the very heart of the island, a safe retreat and shelter to the old inhabitants, who were tenacious of their barbarous customs, nestling in their filthy cottages in winter, in summer wandering with their cattle over the desert mountains. Thro' these districts, the Irish insurgents had usually passed from Connaught or Ulster, to annoy the Pale. They had served for a passage to Tyrone and his forces into Munster, and a retreat in his inglorious flight from Kinsale. In time of peace, they were the safe receptacles of robbers, where they defied the ministers of justice; and, surrounded with woods, bogs, and mountains, lived in a sort of independence, and contemptuous resistance to the law. "*To reduce these savages to order and subjection*," [that is, reader, those savages, than whom, according to Sir John Davies and Edward Coke, NO PEOPLE UNDER THE SUN LOVED JUSTICE BETTER; and who were MORE FEARFUL TO OFFEND THE LAW THAN THE ENGLISH*] "inquisitions were held to examine the king's title to the whole or any part of their lands. It was found, that *some parts had been anciently possessed by English settlers*, who, in the disorders of the kingdom had been expelled by the old natives, and *which were therefore vested in the crown*, as lands of absentees; *others appeared to have been forfeited by rebellion*. So that *James deemed himself entitled to make a distribution of* THREE HUNDRED AND EIGHTY-FIVE THOUSAND ACRES *in these counties*, to such proprietors, and in such proportions, as might promote the general welfare and security, the extension of commerce, and the civility of the natives. The large portions re-granted to the old inhabitants, on permanent tenures, reconciled many to this new scheme of plantation."—LELAND, II. 539.

Language hardly affords terms of contempt and disgust, adequate to brand the writer, who can cant and whine, in extenuation of such atrocious spoliation. If the natives "nestled in filthy cottages," it proceeded from the oppression of the wretched government under which they groaned; and which, in the lapse of ages, scarcely ever adopted a single measure dictated by sound or magnanimous policy, or calculated to claim the respect or gratitude of its Irish subjects.

In the same hacknied and fraudulent strain, Carte cants on the subject of this immense depredation:

"The peace of the kingdom was very precarious, whilst these countries remained in a sort of independence on the state, and the inhabitants lived in a contempt of its laws. The king *saw it necessary to reduce them into the same order and subjection*" [that is, the same state of beggary and ruin in which he had involved the people of the six counties in Ulster] "as the rest of the kingdom: and therefore, by a special commission, in 1614, had empowered the lord deputy Chichester and others to take a view of the counties," [and so ascertain how much he might seize] "and inquire into the title which the crown had to them, or any part thereof; the estate, number, and condition of the inhabitants; the chiefries, claims, customs, and rents of the present lords; and the best way of reducing and settling them."—CARTE, I. 23.

* Supra, page 115.

I have given these statements at length, that the reader may have a full view of the grounds on which the depredation took place, and may decide on its propriety or justice, and on the merits of the writers from whom the accounts are derived. The flimsy pretext, that "the peace of the country was precarious," and that "these counties were receptacles of robbers," will not stand a moment's examination when compared with the cotemporaneous testimony of Sir John Davies in favour of the peaceable demeanour of the Irish, and their exemplary submission to law. Fraud and rapine never wanted a pretext of extenuation or justification. The fable of the wolf and the lamb affords a proper type of this course of proceeding.

If those counties were receptacles of robbers, the proper corrective was to open assizes, and employ courts, sheriffs, and executioners; not to rob the people of their lands, and turn them out on the highway, to retaliate on the unwary passenger the depredations they suffered from those whose office imposed on them the duty of protection.

The admission of such a paltry defence of so base a system of rapine and plunder, is discreditable to Leland and Carte, and greatly derogates from the credit of their histories. Had they the slightest knowledge of their duty, or did they pay attention to its discharge, they would have marked the act with the reprobation which it so richly merited. There was not a subject in his dominions, whose estate the rapacious monarch might not have seized, under some pretence or other, equally valid; nor, in fact, is there an estate under the star-spangled canopy of heaven, which might not be seized with equal justice, and equal regard to "*law, honour, and conscience.*"

In the "famous northern plantation, so honourable to King James," according to the very accurate Leland, we have seen that numbers of the natives were despoiled of the paltry modicum of the soil, which the rapacity of the monarch had allotted them, to support a miserable existence.* As might be expected, the Leinster adventurers, in order to keep their Ulster friends in countenance, followed their captivating example, and defrauded the natives to precisely the same extent. This verifies the old Latin adage,

"Ad regis exemplum totus componitur orbis."

We may form a tolerably accurate idea of the frightful extent to which the spirit of rapine was carried, from the specimen here exhibited. What a hideous specimen! Proprietors expelled from their large paternal estates, in rich valleys and "profitable lands," and receiving

* "In the county of Longford, *the natives in general had scarce a third part of their former possessions, either in number of acres or in value of profitable ground,* allotted them. The arts of admeasurement were well understood in those days; and, as the king had directed a certain quantity of unprofitable ground, bog, wood, and mountain, to be thrown into the several proportions of profitable land allotted to British and natives, *a great latitude of judgment* was left to the commissioners, *which some of them knew how to make use of for their advantage.*

"Hence *several persons were turned out of large estates of profitable land,* and had only *a small pittance, less than a fourth part,* assigned them for it, in barren ground!!!"—CARTE, I. 23.

"In the small county of Longford, we find that *twenty-five of one sept were all deprived of their estates, without the least compensation, or any means of subsistence assigned them!!*"—LELAND, II. 546.

"less than a fourth part" of the amount in "barren ground!!!" To bring the matter home to an American reader, let us venture on another supposition in addition to the one in page 130—let us suppose a descendant of William Penn, settled on the rich lands in Lancaster, Chester, or Delaware county, and owning one thousand acres, worth one hundred dollars per acre, expelled from thence, because the pious Solomon, James, found them "naturally strong and difficult of access," and THEREFORE "deemed himself entitled to make a distribution of three hundred and eighty-five thousand acres" of these lands to his parasites and minions; banished to some of the barren lands in Northumberland or Lycoming, receiving, in lieu of his paternal estate, two hundred and fifty acres, scarcely worth two dollars per acre; thus receiving five hundred dollars, as an equivalent for a hundred thousand. This is a very fair view of the equitable doctrine of *equivalents*, as studied and carried into practice by those upright agents of the pious James, who, to use the words of Leland, were employed "*to reduce*" those whom Carte styles *savages* "*to order and subjection.*"

But the case of those wretched people, placed on the "barren lands," and with an *equivalent* of one-fourth of the number of acres whereof they were plundered, was not, it appears, the most grievous that occurred. We see, that of one single sept, or family, twenty-five were "deprived of their estates" "*without the least compensation, or any means of subsistence allotted them!*" How many twenty-fives, how many hundreds, were thus turned out, it is impossible to ascertain. But it is not presuming very far, to suppose, as the one side was destitute of defence, and the other of every sense of honour, honesty, and justice, that the cases were numerous; and that there were hundreds, perhaps thousands, driven out of house and home, and turned loose on society, "without any means of subsistence allotted them."

When the monarch of three powerful kingdoms, who ought to be a pattern of honour, honesty, and justice, and, as Sir John Davies declared, to have scorned to "*dispossess the meanest of his subjects wrongfully*," becomes a common depredator on their estates, and acts the part of a ravening wolf, instead of that of a vigilant shepherd, it is not wonderful that such portion of those subjects as form a privileged caste, should prey upon and devour the others. This has ever been, and ever will be, the result, in all analogous cases.

CHAPTER XIII.

"An act of most gracious, general, and free pardon," with only fifty-one classes of exceptions, each averaging four or five species; that is, "a general pardon," with about two hundred exceptions!!!

"Et voilà justement comme on écrit l'histoire."—VOLTAIRE.

AMONG the multifarious frauds respecting Ireland, with which the world has been deluded, one of the most palpable remains to be noticed.

It is universally believed, on the uniform declarations of probably all the Anglo-Hibernian writers, that an act of general amnesty, for all offences whatsoever, was passed by the Irish parliament, in the session which commenced anno 1613.*

A perusal of the annexed quotations, and of all the writers I have ever examined on the subject, has led the world to give credit to James and his Irish parliament for an exuberant stock of clemency. It has appeared that the motto, and the benignant rule of their conduct, had been Shakspeare's divine commendation of heaven-born mercy:

> "The quality of mercy is not strain'd:
> It droppeth as the gentle rain from heav'n
> Upon the place beneath. It is twice blest—
> It blesseth him that gives, and him that takes."

It is supposed that this act of "*general and free pardon*" effaced all crimes and misdemeanors of every description; was the harbinger of an universal jubilee throughout the kingdom; and, from the hour of its promulgation, produced a general clearance of the prisons of all their tenants, by whatsoever tenure immured. But, alas! in Ireland, words bore an import different from what they had in any other country: and "an act of *general pardon*," in that ill-fated nation, was, in truth and in fact, an act of *universal proscription:* for in that parliament and king, towards Ireland,

"There was no more mercy, than milk in a male tiger."—SHAKSPEARE.

This assertion will appear ambiguous: but the ambiguity shall be

* "The session concluded with an act of *oblivion and general pardon*."—CARTE, I. 22.

"An act of *general pardon and oblivion* was made in confirmation of the royal edict."—LELAND, II. 535.

"They passed an act of *general indemnity* for late crimes, with an exception of Tyrone Tyrconnel, and O'Dogherty."—DAVIES, XXV.

"An act of *general amnesty and pardon* was made, in confirmation of the royal edict."—GORDON, I. 327.

"An act of *general oblivion and indemnity* was passed."—CRAWFORD, I. 347.

"All minds being quieted by a *general indemnity*."—HUME, III. 308.

soon removed. The act in question bears, it is true, in the statute-book, the fraudulent title of "an act for the king's majestie's *most gracious, general, and free pardon.*"* This is as clear and explicit

* *Extracts from "An Act for the king's majestie's most gracious,* GENERAL AND FREE PARDON!!!"

"The king's majestie, most graciously considering the good will and faithful hearts of his most loving subjects, which as at all times, so at this present especially, they having with most dutiful affection showed themselves towards his highness; and understanding that the same his loving subjects have many and sundry wayes, by the laws and statute of this realm, fallen into the danger of diverse great penalties and forfeytures, is, of his princely and merciful disposition, most graciously inclined, by his liberal and free pardon, to discharge some part of those great paynes, forfeytures and penalties wherewith his said subjects stand now burdened and charged; trusting they will be thereby the rather moved and induced, from henceforth, more carefully to observe his highness's laws and statutes, and to continue in their loyal and due obedience to his majestie; and therefore his majestie is well pleased and contented, that it be enacted by the authority of this present parliament, in manner and form following, (that is to say,) that all and every the said subjects, as well spiritual as temporal of this his highness's realm of Ireland, the heyres, successors, executors, and administrators of them, and every of them, and all and singular bodies corporate, cities, shires, boroughs, hundreds, baronies, townes, villages, hamlets, and tythings, and every of them, and the successor and successors of every of them, shall be, by the authority of this present parliament, acquitted, pardoned, and released, and dis- charged against the king's majestie, his heyres and successors, and every of them, *of all manner of treasons, felonies, offences, contempts, trespasses, entries, wrongs, deceipts, misdemeanours, forfeytures, penalties, and summs of mony, paynes of death, paynes corporal and pecuniarie, and generally of all other things, causes, quarrels, suiles, judgements and executions, in this present act hereafter not excepted nor foreprized.*

1. "Excepted and alwayes foreprized out of this general and free pardon, *all and all manner of high treasons, and other offences committed or done by any person or persons against the king's majestie,* and all conspiracies and confederacies, trayterously had, committed, or done, by any person or persons, against the king's majestie's royal person; and all manner of levying warre and all rebellions and insurrections whatsoever had, made, or committed, or done at any time sithence the beginning of his majesty's raigne.

2. "And also excepted *all and every manner of treasons committed or done,* by any person or peasons in the parts beyond the seas, or in any other place out of the king's dominions, sithence the beginning of his majestie's raigne; and also all suites punishments, executions, paynes of death, forfeitures, and penalties, for, or by reason or occasion of any of the treasons and offences before rehearsed.

3. "And also excepted out of this pardon, *all offences of forging and false counterfeyting* the king's majestie his great or privy seale, or sign manual, or privy signet, or any of the monies current within this realm; and also all offences of unlawful diminishing of any the said monies, by any wayes or means whatsoever, contrary to the laws and statutes of this realm at any time sithence the beginning of his majestie's raigne: and also all misprisions and concealments of any the high treasons aforesaid: and also all abetting, aiding, comforting, or procuring of the same offences, or any of the said treasons committed or done sithence the beginning of his majestie's raigne.

4. "And also excepted out of this pardon, *all manner of voluntary murders, petit treasons, and wilfull poisonings,* done or committed by any person or persons sithence the beginning of his majestie's raigne, and all and every the accessaries to the said offences, or any of them, before the said offences committed.

5. "And also excepted and foreprized out of this general pardon *all and every offence of piracy, and robbery done upon the seas,* sithence the beginning of his majestie's raigne.

6. "And also excepted out of this pardon *all burglaries* committed or done in any dwelling house or houses, and all accessaries to any the said burglaries, before

as language could render it: and as the act itself is in black-letter, obsolete orthography, and very long, it is probable that those writers never examined beyond the title, or, at all events, beyond the pre-

the said burglaries committed, within one year before the beginning of this present session of parliament.

7. "And also excepted *all robberies* done upon, or to any man's or woman's person in the highway, or elsewhere, and all and singular accessaries of, or to any such robberies before the said robbery, committed within one year before the first day of this present session of parliament.

8. "And also excepted *the felonious stealing of any horse, gelding, garron, or mare*, and all accessaries thereunto, before the same felony committed, and all judgments and executions of and for the same, within one year next before the beginning of this present session of parliament.

9. "And also, *all wilfull burnings of any dwelling house or houses*, or any barn or barns, wherein any corn was, committed or done at any time sithence the beginning of his majestie's raigne.

10. "And also excepted *all rapes and carnal ravishments of women*, and also ravishments and wilfull taking away or marrying any maide, widowe, or damosel, against her will, or without the assent or agreement of her parents, or such as then had her in custodie, committed or done within one year before the beginning of this present session of parliament. And also all offences of ayding, comforting, procuring or abetting of any such ravishment, wilfull taking away or marrying, had, committed, or done.

11. "And also excepted out of this pardon all persons now *attainted* or *outlawed*, of or for any treason, petit treason, murder, wilfull poysonings, burglary, or robbery, and all executions of and for the same!

12. "And also excepted all offences of *invocations, conjurations, witchcraft, sorceeies, inchantments and charms*, and all offences of procuring, abetting, or comforting of the same, and all persons now attainted and convicted of any of the said offences, at any time sithence the beginning of his majestie's raigne!

13. "And also excepted all and every manner or taking from the king's majestie, of any the goods or chattels, or the issues, rents, revenues or profits of any mannors, lands, tenements, and hereditaments, which were of any traytor, murderer, felon, clerke or clerkes attainted, or fugitives, or of any of them!

14. "And also excepted *all goods and chattels*, in any wise forfeited to the king's majestie by reason of any treason, petit treason, murder, or felony heretofore committed or done!

15. "And also excepted all offences of or in making, writing, printing, or publishing, or in consenting to the making, writing, printing or publishing, of *any false, seditious, or slaunderous book* or books, libell or libells, in any wise against the king's majestie, or the present government of this realme, in cases either ecclesiasticall or temporall, or against any person or persons whatsoever.

16. "And also excepted out of this pardon all intrusions, had or made, or done by any person or persons, in or upon any of the mannors, lands, tenements, or other hereditaments of our said soveraigne lord the king; and all wastes done, committed or suffered upon any such lands, tenements, or hereditaments, and the wrongfull taking of any the rents, issues, and profits of the said mannors, lands, tenements, or hereditaments, of our said sovereigne lord the king, at any time sithence the beginning of his majestie's raigne. And also all suites, accounts and impetitions, of and for the same!

17. "And also excepted out of this pardon *all alienations of any lands*, tenements or hereditaments, without license, and all fines, issues and profits, that may or ought to grow or come to the king's majestie, by reason of any such alienations, without license, at any time sithence the beginning of his majestie's raigne!

18. "And also excepted out of this pardon, *all wastes committed* or *done*, in any of the king's wards' lands, or in the wards' lands of any of the king's counties; and also all and every fine or fines, for the single and double value of the marriage or marriages of all and every ward or wards, at any time heretofore grown to the king's majestie, sithence the beginning of his majesty's raigne!

19. "And also excepted *concealed wards, and the lands of such wards con-*

amble, which carries the same delusive promise of clemency; but with Shakspeare we may well exclaim,

"Oh! what a goodly outside falsehood hath!"

And never was there more "falsehood" under a "goodly outside,"

cealed, and all liveries and primer seisins and ousterlemains, that ought to be had, done or sued for the same, sithence the beginning of his majestie's raigne!

20. "And also excepted out of this general pardon *all ravishments* and wrongfull taking or withholding any the king's ward or wards, lands or rents, and profits of the same, at any time coming or growing to the king's hands, sithence the beginning of his majestie's raigne; and every thing that by reason of any such ward or wards' lands, and for default of suing or prosecuting, of any livery for any such wards' lands ought to come or to be to the king's majestie, and which as yet is not discharged!

21. "And also excepted *all fines* that should or ought to grow to the king's majestie, of any his widdows that have married without license, sithence the beginning of his majestie's raigne!

22. "And also excepted and foreprized out of this pardon, *all such persons as*, the last day of this present session of Parliament, *be in prison*, within the castle of Dublin, or in the prison of Marshalsie, or otherwise restrained of liberty by express commandment of the lord deputy, or by the commandment or directions of any his majestie's privy council!

23. "And also excepted out of this pardon all and every such person and persons which at any time sithence the beginning of the king's majestie's raigne, have *fled out of this realm of Ireland*, or any other the king's dominions, for any offence of high treason, petit treason, or misprision of treason!

24. "And also excepted all such persons as be gone or fled out of this realm, for any cause contrarie to the laws and statutes of this realm, without the king's majestie's license!

25. "And also excepted all such persons as have obtained and had license to depart this realm, for a certain time, and now do abide out of this realm, without any lawful excuse, after the time of their licenses expired!

26. "And also excepted out of this pardon all and every concealments or wrongfull detainments of any custom or subsidie due to the king's majestie, sithence the beginning of his majestie's raigne, and all corruptions and misdemeanours of any officer or minister of or concerning any custom or subsidie, and all accompts, impetitions, and suites to be had, made, or done for the same!

27. "And also excepted all and singular accompts of all and every collector and collectors of any subsidie, custom, imposition, composition or other thing; and all accompts of every other person whatsoever that ought to be accomptant to the king's highness, and the heirs, executors, and administrators of every such person that ought to accompt for all things touching only the same accompts; and all and singular arrearages of accompts, and all untrue accompts, and all petitions, charges, and seisures, suits, demaunds, and executions which may or can be had, of or for any accompts or any arrearages of the same!

28. "And also excepted *all titles and actions of quare impedit*, and all homages, reliefe and reliefes, heriots, rents, services, rent charges, rent secks, and the arrearages of the same, not done or paid to the king's highness!

29. "And also excepted *all conditions and covenants*, and all penalties, titles and forfeytures of condition or conditions, covenant or covenants, accrued or grown to the king's majestie, by reason of the breach and not performing of any covenants or conditions!

30. "And also excepted *all summs of money* granted by the king's majestie, or any his noble progenitors; and all concealments, fraudes and offences by which his majesty hath been deceived or not truly answered of or for the same!

31. "And also excepted out of this pardon *all debtes* which were or be due to our soveraign lord the king, or to the most noble queen Elizabeth, of famous memorie or to any person or persons for or to any of their uses, by any condemnation, recognizance, obligation or otherwise, other than such debts as are due upon any ob-

than in this instance. For, in the body of this "act of general and free pardon," there are no less than FIFTY-ONE CLASSES OF EXCEPTIONS, embracing almost every conceivable crime of which the statute-

ligation or recognizance forfeyted before the first day of this present session of Parliament, for not appearance in any court or other place whatsoever; or for not keeping of the peace, or not being of good behaviour, which debts growen and accrued upon these cases, by this free pardon be and shall be freely pardoned and discharged!

32. "And also excepted and foreprized out of this pardon *all and singular penalties, forfeytures and summs of money*, being due and accrued to our soveraign lord the king, by reason of any act, statute, or statutes: which forfeytures, penalties and summs of money be converted into the nature of debts, by any judgment, order or decree, or by the agreement of the offendour or offendours, sithence the beginning of the raigne of the late queen Elizabeth!

33. "And also excepted *all forfeytures of leases and estates or interests* of any lands, tenements, or hereditaments, holden of our soveraign lord the king's majestie by knight service, or in socage, in capite, or otherwise by knight service made in one or several assurances or leases for any term or terms of years, whereupon the old and accustomed rent or more is not reserved!

34. "And also excepted, all first fruits at this present being due to be paid to his majestie, by force of any act or statute or otherwise!

35. "And also excepted all penalties and forfeytures whereof there is any verdict in any suit given or past for the king's majestie!!

36. "And also excepted *all forfeytures* and other penalties and profits now due, accrued and growen, or which shall or may be due, accrued or growing to the king's majestie, by reason of any offence, misdemeanour, contempt, or act or deed, suffered, had, committed, or done, contrary to any act, statute or statutes, or contrary to the common laws of this realm, and whereof or for the which any action, bill, plaint or information, at any time within eight years next before the last day of this present session of Parliament, hath been or shall be exhibited, commenced or sued in the courts of Castle Chamber or in any of the king's majestie's courts at Dublin, and now is, or the said last day of this session of Parliament, shall be there depending, and remaining to be prosecuted, or whereof the king's majestie, by his bill assigned, hath heretofore made any gift or assignment to any person or persons!

37. "And also excepted out of this general and free pardon *all offences, contempts, disorders, covins, frauds, deceipts and misdemeanours whatsoever*, heretofore committed or done by any person or persons, and whereof or for the which any suit by bill, plaint, or information, at any time within four years next before the last day of this present session of Parliament, is or shall be commenced or exhibited in the court of Castle Chamber, and shall be there the same last day of this session of Parliament depending, or whereupon any sentence or decree is given or entered!

38. "And also excepted out of this pardon *all offences of perjuries* and subornation of witnesses, and offences of forging and counterfeiting of any false deeds, escriptes or writings; and all procuring and counselling of any such counterfeiting or forging to be had or made!

39. "And also excepted out of this pardon all offences of *incest, adultery, fornication and simony*, and all such usury for which any interest hath been received or taken since the first day of this present session of Parliament: and *all misdemeanours and disturbances* committed or made in any church or chappel, in the time of common prayer, preaching or divine service there used, to the disturbance thereof; and all outlawries and prosecutions upon the same!

40. "And also excepted all offences whereby any person may be charged with the penalty and danger of premunire, and of the which offence or offences any person standeth already indicted, or otherwise lawfully condemned or convicted!

41. "And also excepted all dilapidations for which any suit is, or, before the end of this session of Parliament, shall be, depending!

42. "And also excepted all offences in taking away, *imbeyselling, or purloyning* any the king's majestie's goods, money, chattels, jewels, armour, munition, ordinance, or other habiliments of warre!

43. "And also excepted out of this pardon *all manner of extortions* whatsoever!

44. "And also excepted all covins, frauds, deceipts and other disorders and misde-

book takes cognizance; and which, for the purpose of adding one more to the various proofs I have already adduced, of the infidelity of the historians of Irish affairs, are enumerated in the annexed note.

meanours whatsoever, heretofore committed or done by any steward of his majestie's mannours or courts, under sheriffe, or by any officer or minister in any of his highness courts, in or by reason or colour of any of their offices or places, or any their deputys or clerkes: and all offences of ayding, comforting, assisting or procuring of any under sheriffe or any such officer, minister, or clerke, in continuing, doing or executing any such extortion, exaction, covin, fraud, deceipt, disorder or misdemeanour!

45. "And also excepted out of this pardon *all issues, fines and amerciaments* being totted, levied or received by any sheriffe, under sheriffe, bayliffe, minister or other officer, to or for the king's majestie's use or behoofe, before the last day of this present session of Parliament; and all issues, fines and amerciaments afferred, taxed, estreated or entered severally or particularly, touching or concerning any one person or more persons joyntly or severally, above the sum of six pounds!

46. "And also excepted all issues, fines and amerciaments afferred, taxed, set or entered severally or particularly in any court of record at Dublin, at any time sithence the feast of Saint Bartholomew last past; and yet nevertheless, all other fines, as well *finis pro licentia concordandi*, as *other set taxed*, estreated or entered afore the said feast of Saint Bartholomew; and also all issues and amerciaments as well real as others, within any liberties or without, being set, taxed, estreated or entered afore the said feast of Saint Bartholomew, and which severally or particularly extend to or under the summ of six pounds, and not above, whether they be estreated or not estreated, or whether they be turned into debt or not turned into debt, and not being totted, levied or recovered by any sheriffe, under sheriffe, minister or other officer, to or for the king's majestie's use or behoof, before the last day of this present session of Parliament, shall be freely, clearly and plainly pardoned and discharged against the king's majestie, his heyres and successours for ever, *by force of this present act of free pardon*; and yet nevertheless, all estreats of such fines, issues and amerciaments as be *now* pardoned by this act, and be already estreated forth of the court of exchequer, and be remaining in the hand of the sheriffe [under sheriffe and bayliffe for collecting of the same fines, issues and amerciaments, shall, upon the return of the same estreats, be orderly charged and delivered by scrowls into the office of the pipe in the court of exchequer, as heretofore has been accustomed, to the intent that thereupon order may be taken that his majestie may be truly answered in all such fines, issues and amerciaments not by this act pardoned, and which any sheriffe, under sheriffe, bayliffe or other officer or minister hath received or ought to answer for by force or colour of any such estreat, processe or precept to him or them made for the levying thereof: and yet notwithstanding all and every sheriffe and sheriffes and other accomptants, upon his or their petition or petitions, to be made for the allowance of any such fines, issues and amerciaments as, by this act pardoned, shall have all and every such his and their petitiion allowed in his or their accompt and accompts, without paying any fee or reward to any officer, clerk or other minister, for the making, entering or allowing of any such petition or petitions, any usage or custome to the contrary notwithstanding.

47. "And also excepted out of this pardon *all goods, chattels, debts, actions and suits already forfeited*, or whereof any right or title is accrued and growen to the king's majestie by reason of any outlawry, and whereof the king's majestie, by his highness's letters patent, hath, before the last day of this present session of Parliament, made any grant, covenant or proviso to any person or persons!

48. "And also excepted out of this pardon *all such persons as be and remain still attainted or condemned*, and not already pardoned, of or for any rebellion or levying of warre, of or for any conspiracy of any rebellion or levying of warre, within this realm, or in any other the king's dominions!

49. "And also excepted all false forging and counterfeiting of any untrue certificates.

50. "And also excepted all false forging and counterfeiting of any commission or commissions to inquire of any lands, tenements or hereditaments: or return of any commission or commissions obtained or gotten of any court or courts to inquire

The extracts from this act are longer, perhaps, than are consistent with the nature of this work: but I trust they will be excused; as no abridgment could do justice to the subject, or to the grand object I have in view, which is to open the eyes of every reader, who is not wilfully blind, to the undeviating fraud, falsehood, and imposture, pervading the whole body of the Anglo-Hibernian histories of Ireland, as penned by those writers who have pandered to the passions, the prejudices, and the grinding tyranny of "the Protestant ascendancy" and contaminated and corrupted the history of Ireland to an extent unequalled in that of any other portion of the terraqueous globe. This object I feel proudly confident is accomplished, with such readers as have brought to the perusal of this work, a mind disposed to hail the appearance of holy Truth, in whatsoever form she may assume.

I hope the reader will bear in remembrance the deceptious statement of this act, by nearly all the British historians, as he peruses some of the subsequent chapters, in which, from the nature of the subjects, the detection of imposture is rendered difficult, and, in fact, would be impossible, if the stupidity of the fabricators were not equal to their wickedness. Had their ingenuity amounted to a twentieth part of their fraud, they might have contrived tales so plausible as to bid defiance to detection, particularly at this remote period; but fortunately their fabrications are concocted together with so much grossness and incoherence, such stupidity and folly, such obvious and palpable fraud and perjury and forgery, that it requires but moderate abilities to expose them, in all their naked deformity, to the contempt and loathing of every liberal mind. Had those tales, however, been devised with splendid talents equal to the atrocious wickedness of the contrivers, and furnished no internal evidence to condemn them, even in that case they would merit rejection; as I have established in every instance which admitted of producing evidence, a total disregard of truth, and of the strongest and most palpable facts, in the historians who narrate them. This act of "gracious, general, and free pardon," would, if it stood alone, be sufficient to decide the question. It is recorded in the statute-book; open to the inspection of all the writers who have treated on it; and detection, like the well-known "sword of Damocles," hung over the head of imposture or sophistication. Yet, notwithstanding all these strong circumstances, we see that its real character is as diametrically opposite to the views given of it, as the pitchy darkness of the lowest regions of Erebus to the starry canopy of heaven. And will not every man of mind ask, what dependence, in points involved in doubt, obscurity, or mystery, such as plots and conspiracies, can be placed on writers who poison the pure streams of history, in such plain cases as this, and so many others which I have exhibited to the reader, where the fraud was too plain to escape the detection of the most superficial?

of any lands, tenements or other things whatsoever; and all and all manner of falsifying of any particular, or of any bill or bills signed by his majestie after the ingrossing thereof, and before the passing of the same unto the great seal!

51. "Provided also, and be it enacted by the authority of this present Parliament, that this act of general pardon shall not in any wise extend to any person outlawed upon any writ of *capias ad satisfaciendum*, until such time as the person so outlawed shall satisfie, or otherwise agree with the party at whose suit the same person was so outlawed or condemned!"—*Statutes*, 325–333.

CHAPTER XIV.

Graces. Solemn contract between Charles I. and his Irish Roman Catholic subjects. Faithfully fulfilled by the Irish. Perfidiously and piratically violated by Charles.

"Timeo Danaos, et dona ferentes."

In a preceding page I have slightly glanced at the "graces" as they are incorrectly termed by all the writers of Irish history, during the reign of Charles I. They require further development, as they form a very important item at that period—but although repeatedly referred to and discussed, they are no where to be found fully detailed, except in Lord Strafford's Letters, where they are given at full length.

These "graces" merely meant the removal of various grievances, some of them highly oppressive and intolerable, under which the nation had long groaned. Not one of them, in strict parlance, could, with propriety, be styled a "grace" or favour. They were all mere acts of justice.

However, the Irish, as a premium for them, had pledged themselves to remit 150,000 pounds* which they had previously loaned to the king, and to furnish three subsidies, each of 40,000 pounds in the three succeeding years. This was as fair a contract as was ever made, and was religiously carried into effect by the Roman Catholics.

Charles evaded the performance of his part of the contract by the following disgraceful, and fraudulent manœuvre.

The graces were to be digested by the Irish parliament into acts which were to be ratified in the usual form, by the British privy council. Lord Faulkland, the then Irish deputy, accordingly summoned a parliament to meet for the purpose of carrying the contract into effect: but, by two acts, passed under Henry VIII. and Elizabeth, it had been ordained that no parliament should be held in Ireland, without "license

* "The humble petition of your majesty's subjects, appointed agents to prefer certain humble requests and petitions to your highness, in the behalf of your kingdom of Ireland,

"Humbly sheweth:

"That your majesty's supplicants did, in behalf of your subjects of Ireland, offer unto your majesty to remit and release unto your highness 150,000*l.* or thereabouts, already borrowed from them, or paid to your majesty's army there; and further to grant three subsidies, to be paid in the next three years, which humble offers your petitioners are now duly authorized to make; as also to present certain humble requests to your highness, according to the instructions given them of your majesty's faithful subjects of your kingdom of Ireland; which offers, though they do not extend to that greatness as from your highness's other more flourishing kingdoms, may be expected, yet, considering the state and poverty of the said kingdom, they are as much as the subjects are possibly able to afford at this time."—Rushworth, II. 17.

obtained of his majesty, under the great seal of England;" and with this formality Lord Faulkland had not complied, very probably as Leland intimates, by collusion between the monarch and his deputy. The privy council of England, determined not to waive any of their privileges, applied to the bench of judges for their opinion on the subject, who pronounced the summons illegal and void.*

At every step of our progress through the Irish history, we have to lament and censure the disingenuousness of the writers—the *suppressio veri*—the lenity they extend to the oppressors of Ireland, and the severity with which they animadvert on the guilt, real or supposed, of the Irish. This is a striking case. Charles, we have seen, made a fair contract with his Irish subjects. They honourably performed their part. An informality prevented his immediate compliance. That informality it was in his power to remove, in the manner stated in the text: and his failure to adopt this measure, was as base and as fraudulent, as it would have been for a private person, who had sold a house, or a piece of land, and received the price, to refuse to make the deed, or convey the property. And how does Leland record this shameful fact? Why he smoothly informs us, that "*the king's sincerity appeared at least suspicious.*"† And further: "The king stood engaged, that his graces should be confirmed by a law of parliament: and the *insincerity of his professions was not yet completely discovered.*"‡ Had such a transaction taken place on the part of the Irish, all the powers of language would have been exhausted to brand them with infamy.

The laxity of the early writers or compilers of history on the subject of dates, renders it difficult to fix the chronology of these facts with accuracy. It shall be done as far as practicable.

The commission to the Irish agents who carried on the negotiation is dated August, 1627; and they arrived in London in September of that year.

The negotiation probably lasted two months. I cannot find the date of Lord Faulkland's summons; but the parliament was to have met in November, 1628. The opinion of the judges is dated, "Sergeant's Inn, October 2, 1628;" and the vote of the privy council against the meeting of the parliament, which does not appear in Rushworth, probably issued immediately. But instead of the promised, the dearly-purchased graces, Lord Faulkland, early in the following year, issued a most outrageous proclamation, commanding all the priests, monks, and friars to disperse themselves, and to give up their convents, colleges, monasteries, and other places where they collegiately or conventually assembled!!!

This proclamation goes the full length of suppressing *the public ex-*

* *Extract from the Opinion of the Judges.*

"We have taken into our consideration, the lord deputy's commission, wherein he hath power given him to summon the parliament; but that is limited to be according to the laws, statutes, and customs of that kingdom, and with the king's consent first had, and not otherwise; which hath not been observed in the summons of this intended parliament, in any of the points before-mentioned; and therefore *this summons, notwithstanding that power, is illegal and void.*"—RUSHWORTH, II. 20.

† Leland, II. 570. ‡ Idem, III. 3.

exercise of the Roman Catholic religion altogether: for their priests were prohibited from "*celebrating their service in any church, chapel, or other public oratory or place whatever.*"

And to aggravate the severity of this proceeding, the proclamation was calculated to barbarize the nation, by debarring the great body of them of education, and thus bringing them up in brutal ignorance. The priests, who were at that period almost the only schoolmasters in the kingdom, were prohibited from "*teaching school, in any place or places whatsoever in the said kingdom.*" The mind sickens in tracing such constant, unvarying scenes of rapine, wickedness, and tyranny, unrelieved by any thing that can afford consolation on reflection, or redeem the character of the government from richly-earned execration.

No language can be too strong to mark the infamy of this transaction. Hundreds, probably thousands, of malefactors have expiated in gallies or on gibbets, crimes of inferior turpitude! Instead of the fulfilment of the contract, and the concession of the stipulated justice, they are repaid for their enormous contributions by a barbarous and anti-christian persecution, and their churches, as shall be proved in Chapter XVIII., sacrilegiously plundered, seized, and some of them razed to the ground!

That this whole affair is as complete an exemplification of the *Punica fides* as history can produce, will scarcely be denied by any candid man in Christendom.

That it was a collusion on the part of the monarch, is reduced as near to certainty as is possible. But be that as it may, the conduct of Charles is not susceptible of justification or apology. Had he been sincerely disposed to perform his engagements, as a man of honour, common honesty, or justice, the error, whether wilful or inadvertent, might have been remedied instantly. A new summons might have been issued the same day on which the privy council interposed its veto, and the promised "graces" might have received the due sanction with all the necessary forms. But the perfidious monarch was so far from performing this imperious act of justice, by summoning a parliament immediately, that none was held for about six years afterwards.

I annex some of the principal "graces," that the reader may judge how moderate were the requisitions of the Irish—and how wicked and unjust was the evasion of compliance on the part of the monarch. The objections on the right hand were made by Strafford, in a communication to the king, anno 1634, as reasons for rejecting those sixteen, some of which are by far the most important of the whole, particularly the 25th.

15th.

"The subjects of that our realm are to be admitted to sue their liveries, ousterle-maines, and other grants depending on our court of wards, taking only the oath hereunder expressed; and any other oath to be forborne in that case; and the natives of that kingdom being lawyers, and who were heretofore practised there, shall be admitted to practise again, and all other natives of that nation, that have been or shall be students at the inns of

"Your majesty lost by this article six thousand pounds a year in your court of wards; and by this time, if this article had not been, your court of wards might yield much more than now it doth. And howbeit it may be continued as long as may please your majesty, yet *we humbly crave leave to disadvise the passing of any act of parliament for it, which may conclude the crown absolutely in the future!* And if this should be continued,

court in England for the space of five years, and shall bring any attestation sufficient to prove the same, are also to be freely admitted by the judges there to practise the laws taking the said oath, viz.:

I, A. B. do truly acknowledge, profess, testify and declare in my conscience, before God and the world, that our sovereign lord King Charles is lawful and rightful king of this realm, and of other his majesty's dominions and countries. And I will bear faithful and true allegiance to his majesty, his heirs and successors, and him and them will defend to the uttermost of my power against all conspiracies and attempts whatsoever, which shall be made against his or their crown and dignity, and do my best endeavour to disclose and make known unto his majesty, his heirs or successors, or to the lord deputy or other governors for the time being, all treasons and traitorous conspiracies, which I shall know or hear to be intended against his majesty, or any of them. And I do make this recognition and acknowledgment heartily, willingly and truly, upon the true faith of a Christian. So help me God." —STRAFFORD, I. 317.

it would be an occasion that in a short time no Protestant lawyer should be found to serve you upon your benches."

16th.

"All compositions in the court of wards, alienations made bona fide for valuable considerations, intrusions, premier seisins, ouster-le-mains and liveries are to be reduced and *limited to the eighth part of the true value of the lands and hereditaments* so to be compounded for; and all wardships and custodies of lands during the minority of our wards, are to be moderately valued according to the discretion of the judges of that court. Provided, that if any alienation shall be made, whereby we shall be prevented of premier seisin, and relief and of wardship, and that sufficiently proved, in all such cases our said court of wards is not to be restrained to the limitation of the rates of the alienations, as aforesaid; but our officers of the same are to impose such reasonable rates and values as may recompense us in some measure of those duties and profits, which otherwise should have accrued unto us, if no alienation to uses had been made."

"We do not judge it fit that your majesty should pass this into a law, or that under colour of this grace, *your officers and ministers of the court of wards should be restrained from making just improvements upon that branch of your majesty's revenue!* that in their judgment and conscience they take to be equal and indifferent. And so unfit it is to be passed as a law, as it is advised, it may not continue as an instruction, so extreamly prejudicial it is to the crown, in regard of the abatements it may beget in those improvements which may be justly raised by your majesty's officers for your just advantage!"

17th.

"Our court of wards is not to make any enquiry further than to *the last deceased ancestor*, except it be by special direction from us."

"We may not by any means advise that this may pass for a law!"

18th.

"All escheators and feodaries are to be specially directed, where any freeholder's estate in land doth not exceed the worth of five pounds English yearly in the true improved value, to return the offices taken of such lands into the proper courts without charge to the subject, or other fees to any court or officer, save only ten shillings to the officer that shall take and return the office; but no charge is to be set upon the said lands, nor any process to issue upon the said inquisitions, but only for our reliefs due upon their tenures. Provided, that if any such freeholder have the value of one hundred marks English, in chattels real, or offices, then this grace is not to be extended to him, although his estate in lands be under five pounds *per annum*."

"*Not to pass into a law!* but to be recommended to the court of wards, that the benefit of this grace may be gathered by the subjects according to the purport and intent thereof."

19th.

"In general leading cases, that court is to be regulated according to the laws and courses practised here in England, whereof our judges here shall deliver their opinions, if it shall be desired. And our judges of that court there are to nominate some of the best quality of the several counties to be joined in commission with the feodary or escheator to take inquisitions."—Straffond, I. 318.

"*Not to be passed as a law*, but fit to be recommended to the care of the court of wards, that matters may be so carried as your majesty may not be prejudiced in your tenures nor any just occasion of complaint given to your subjects."

24th.

"For the better settling of our subjects' estates in that kingdom, we are pleased that *the like act of grace shall pass in the next parliament there touching the limitation of our titles not to extend above threescore years, as did pass here the* 21 Jacobi, wherein are to be excepted the lands whereunto we are intituled by offices already taken, and those already disposed of by our directions. And we are further graciously pleased for a more ample testimony of our goodness to our subjects of that kingdom to direct hereby, that from henceforth no advantage be taken for any title accrued to us threescore years past, and above, except only to such lands in the King's county and Queen's county, whereunto we are intituled by offices already taken within the said term of threescore years, and which are not yet granted nor lawfully conveyed from us and our crown."

"This being passed into a law will hinder the effects of advantage to your majesty, which, with great reason and justice are expected from *the commission of grace now by your goodness on foot for confirmation of defective titles*. It will utterly cut off all ancient titles of all kinds. It will prevent all plantations, and consequently hinder all improvements, that may otherwise be raised towards defraying the charge of the army, and other public charges depending on the revenues of the crown. It will hinder the means which may otherwise be found for strengthening the province of Connaught, which is now the weakest part of this kingdom, and which is so situate in respect to the sea, having many convenient harbours and apt ports for shipping, as by a plantation there may be made places of great strength and commerce. If the plantations be hindered, then *a principal means of civilizing the people and planting religion will be taken away!!* And lastly, which is not least considerable, *it will destroy your tenures and consequently much diminish your revenues arising that way!!* We may not therefore in any sort advise, that this may pass for a law, and the rather in regard the benefit thereby expected by the people, shall be conveyed to them in another way of less prevention to the future public good of the kingdom in general than the law desired; namely, *by your majesty's commission of grace for confirmation of defective titles*, which now will resettle all men's estates after the distempers and disturbances, which they have endured by the late rebellions here. And considering that in the last sessions of parliament an act hath passed, whereunto the royal assent is given, for confirming all estates to be passed on that commission; which commission, according to your gracious intendment, shall be carried with all the moderation that possibly may be, as well in the rates as otherwise; this course is conceived to be a much more general provision, and to such as compound upon this commission a far better security in their own private fortunes and estates than the law in England, which concludes the rights of the crown upon threescore years possession; and yet nevertheless, after this commission shall, in a moderate and mild way, have taken such effect as is fit, whereby this kingdom may, in some degree, be brought nearer to the condition of England than it presently stands, as it will be then more capable of it, so may it then also have that law, which is now desired, if your majesty in your wisdom shall so think fit."

25th.

"We are graciously pleased and accordingly do hereby require you, that you give present order for the inhabitants of Connaght, and county of Thomond,

"This may take away both the plantation and tenures of Connaght, and therefore as well for that as for the other reasons mentioned in our advice concerning

and county of Clare, to have their surrenders, made in the time of our late most dear father, inrolled in our chancery there, as of the time of our said father, according to the date of the said surrenders, allowing what fees were formerly paid for the same: and that such of them, as please to make new surrenders of their lands and hereditaments, may have the same accepted of them, and inrolled in the said court, and thereupon new letters patents passed unto them and their heirs according to the true intent of our father's letters in that behalf, paying half fees; and that they and every of them may have *such further assurances for securing of their several estates from all ancient titles accrued unto our crown before threescore years last past*, as shall be requisite, and reasonably devised by their counsel. And we are pleased, for their further security, that *their several estates, shall be confirmed unto them and their heirs against us, our heirs and successors, &c. by an act to be passed in the next parliament to be holden in Ireland, to the end the same may never hereafter be brought into any further question by us, our heirs and successors.* In which act of parliament and letters patents so to be passed, you are to take care, that all tenures *in capite*, and all rents and services as are now due, or which ought to be answered unto us out of the said lands and premises by any letters patents passed thereof since the first year of Henry VIII. or found by any office taken from the said first year of Henry VIII. until the 21st of July, 1615, whereby our late dearest father, or any his predecessors actually received any profit by wardship, liveries, premier seisins, mean rates, ouster-le-mains, or fines for alienations without licence, be again reserved unto us, our heirs and successors: and all the rest of the premises to be holden of our castle of Athlone by knight's service, according to our said late father's letters, notwithstanding any tenures in capite, found for us by office since the said 21st of July, 1615, and not appearing in any such letters patents or offices. And you are likewise to set down order, that all seizures and injunctions issued, and all compositions, leases, and custodiums made and passed of or for any of the said lands, not grounded upon the tenures appearing in the said letters patents or offices between the said first year of Henry VIII. and the 21st of July, 1615, shall be called in, and to all purposes made void, so far forth as we are advantaged by the tenure found *in capite*; and that no further proceedings hereafter be had upon any other offices taken since the 21st of July, 1615, nor upon any offices taken before the 21st of July, 1615, unless we or our predecessors received profit by the said offices taken before the said 21st of July, 1615. In which act of parliament and grants, care is to be taken, that our royal composition due for all the lands and hereditaments in the aforesaid province of Connaght, county of Thomond, and county of Clare, may be saved; and it is our pleasure likewise, that the benefit of our said father's letters, and the act of state dated 14 May 1618, touching the intrusions, alienations, mean profits, &c. of lands in that province be in all points allowed to our said subjects."

the request made on the last preceding article; and for that *the monies paid by those of Connaght*, (which was the secret motive inducing this grace,) *were in truth given for the intrusions, alienations, and mean rates then past and due to your majesty*, without ground or intention to conclude the rights of the crown in point of inheritance, either for land or tenure, we would not advise that this should pass as a law."

30th.

"The taking of the accusations and testimonies of persons notoriously infamous, convicted of treason, or other capital offences for any convincing evidence to condemn any subject, is to be regulated according to the said printed instructions."

"We conceive it is fit, that this be wholly left to the consciences of the jury and ordinary care of the judges in like cases, and not needful to be provided for by a law."

31st.

"No judges or commissioners shall bind over any jurors to any court whatsoever, unless it be for very apparent suspicion of corruption or partiality."

"There needs no such instruction, but this to be intrusted upon the justice and integrity of the judges, as the cases shall require."

33d.

"But one provost marshal is to be in a province, because he hath a sufficient number of horse in our pay for the execution of that place; and the said provost marshal is to take no money for booking, nor cess his horse or foot without paying for it in such sort as is ordered for our soldiers; and such as may be brought to trial of law are not to be executed by the marshal, except in time of war or rebellion."

"This is fit to be intrusted with those who are by your majesty trusted with the government, and hath been done with that moderation, as there is no cause of complaint and shall be still so kept."

38th.

"No judge nor commissioners shall grant *reprisals to notorious malefactors*, but with the advice of the justices of the peace of the county, them assisting, or a competent number of them."

"In this we conceive, that the integrity and wisdom of the judges may safely be trusted."

39th.

"*No grants of intrusions or alienations, or leases of mens' lands are to be made out of that court* [of wards] *to any before the party interested shall have personal warning, and affidavit returned thereof*, who is to be preferred before any other, if he come in the next term after the office is returned, and will accept it, at the rates thought fit by the court."

"This is already performed and fitter in our opinion to be continued by your majesty by instruction to the court of wards than by a law."

42d.

"No person, against whom any judgment and execution hath passed in course of common law, or decree in chancery; upon matter of equity, is from henceforth to have any protection granted to him; nor any flying out of England into Ireland, to defraud or shun the prosecution of his creditors, is to be sheltered or protected from the justice of the law under colour of being a soldier in any of our companies in that our kingdom."

"Protections are granted so sparingly and with such caution as since the entrance of me the deputy into this government there has been no complaint thereof; and it shall be still carried with that tenderness and moderation, as there shall be no just cause of complaint in that kind; and sometimes such may be the circumstances in some particular cases, as there is no reason, as we conceive, that your majesty's power should be altogether concluded."

43d.

"No witness between party and party at sessions or assizes, or before any commissioners whatsoever, are to be bound over to the castle chamber, and if information be put in against any such, then a relator to be named, who shall be thought sufficient to answer a recompence to the party informed against according to the award of the court, if sufficient ground shall not appear of the information."

"There is no reason to put a causeless prejudice upon your majesty's ministers of justice, to whose care and integrity, we conceive, matters of this nature are fit to be left without any further law or instruction, than the ordinary course and practice of the courts, and the obligation of their duties in their places."

44th.

"Soldiers accused of capital crimes are to be left to be proceeded withal according to the law. And the commissions for reforming and restraining the abuses and oppressions of soldiers (such as have

"If this were, there should be no need of a general and consequently no exercise or discipline in the army. And therefore we conceive it is unfit to pass either as a law, or as an instruction; the

lately issued under our great seal there) are to be directed especially to persons of quality having freehold and residence in the county, and such matters as cannot be ordered by them to be especially determined by a committee of the judges and others of our counsel to be nominated by you, of which none are to be captains of horse or foot."

ground of the commission then on foot being occasional and now determined."

49th.

"*No extraordinary warrant of assistance touching clandestine marriages, christenings, or burials, or any contumacies pretended against ecclesiastical jurisdiction, are to be issued by the lord deputy, or any other governors, nor executed; nor are the clergy to be permitted to keep any private prisons of their own for those causes;* but the delinquents in that kind are henceforth to be committed to our public goals, and that by our officers, according to the ordinary proceedings of the law; and all unlawful exactions taken by the clergy, are to be reformed and regulated by the commission there, before mentioned."

"This course is already held, and may be continued as a grace as long as your majesty shall think fit; but we hold it unnecessary that any new law be made concerning it."

A perusal of the preceding extracts from what were styled "the graces," purchased by two hundred and seventy thousand pounds sterling, equal, I repeat, at the present value of money, to 6,000,000 of dollars, would, in the absence of all other testimony, satisfactorily establish the horrible oppression under which the Irish groaned, and the utter fallacy of all the historical statements of the happiness of the nation, and the security of property. It appears from the premises that jurors and witnesses were subject to prosecution and punishment, at the discretion of the judges, when their evidence or verdicts were unsatisfactory to these magistrates—that the evidence of convicted felons was received against persons accused of crimes ! !—that *the clergy of the established church had prisons in which they confined those who were subject to ecclesiastical censures ! ! !*—and that sixty years peaceable possession of estates afforded no security to the nobility, gentry, and other landholders !

It appears from an examination of the objections made by Strafford, that he was determined, as far as possible, to remove all restraints from deputies, judges, justices, and all the officers of the crown, in order to leave as wide a door open to oppression and depredation as possible, On no other principle, can we reasonably account for his opposition.

It is irksome to be obliged to point out at almost every step, the monstrous errors of the writers of Irish history. If the repetition be unpleasing to the reader, it is equally so to the writer, whom nothing but imperious necessity could impel to this course. Carte, in defiance of facts thus incontestibly established, has left on record that the deputy rejected "*only two*" of the graces ! ! !* and further, that "the

* "*In two points only*"—yes, reader, these are the very words of this veracious historian—"*in two points only* the lord deputy thought fit to deny the request of the commons—the one, for limiting the king's title to sixty years backwards—the other, for enrolling the former surrenders, and passing new patents of estates in the province of Connaught and the county of Clare, *not thinking them expedient for*

subject had *the benefit of all those graces, so far as was compatible with honour, justice, and the benefit of the commonwealth!!!*"* It is scarcely possible to conceive of a more flagrant violation of truth, and in a case so plain and palpable, as to be level with the commonest capacity. What! was it inconsistent with "honour, justice, and the good of the commonwealth," that subjects who had paid enormous sums to be relieved from the uncertainty of their titles—the depredations of their king, his deputies, and their fellow subjects—and from the utter ruin that so frequently followed those depredations, should be defrauded of the quid pro quo?

With respect to the graces, Strafford was guilty of a gross, palpable

the kingdom in its present situation, or either necessary or convenient to be enacted at that time."—CARTE, I. 81.

* "In the 4th article they complain of the subjects being denied the benefit of the royal graces, (An. 1628,) in all the material parts thereof, particularly of the statute of limitations. Whereas it had been made appear to the last parliament that was held in Ireland, that *the subject had the benefit of all those graces, so far as was consistent with honour, justice, and the benefit of the commonwealth!* and they were then well satisfied in this point. And as for the statute of limitations proposed, the council of Ireland upon solemn debate, adjudged it inexpedient for the kingdom, and unfit to be passed,† and as *the end of it was answered by the commission for remedy of defective titles*‡ confirmed by act of parliament, by which great numbers had, and every body might have, upon easy rents, absolutely secured their estates; so the enacting of it now would turn only to the benefit of such as had stood out, and not contributed any thing to the moderate and just improvement of the revenue of the crown; besides, *as that statute was proposed before his majesty was informed of his just title to a considerable quantity of lands in Connaught and the counties of Clare, Tipperary, and Limerick*,§ and which since had been justly found by inquisitions legally taken!!! freely acknowledged, and voluntarily submitted to by the pretended possessors; so it would *lessen the revenue of the crown above* 20,000*l.*‖ *a year!* and debar the king of a great and effectual means of strengthening and civilizing a great part of the kingdom, and of bringing commerce, industry and religion,¶ into those parts by the intended plantation, for the preparing whereof very great pains had been taken, and large sums of money expended."—CARTE, I. 109.

† The council of Ireland, of whom the majority were among the most active depredators on the Irish, were utterly unfit to be trusted to decide on this important question.

‡ This is a gross mis-statement. By the commission for the remedying of defective titles, the possessors of estates which had been for 2, 3, 4, or 500 years in their families, were often obliged to give up one-third or one-half of them to procure patents for the residue; whereas by a statute of limitations no claim could go beyond sixty years undisturbed possession.

§ This is a miserable quibble, unworthy of an historian. The king knew that his father had passed an act, to this effect; and he knew a fact of far more importance, that he had received a most liberal payment for this among other articles of the graces—and that it was a violation of every principle of "*honour and justice*" to fail in the performance of his contract.

‖ This only shows the enormous extent to which depredation had been carried, and instead of an argument for the continuance of the spoliation, afforded a conclusive reason for its instant repeal. As well might a smuggler or a highwayman, who cleared by his illicit practices, 20,000*l.* a year, insist on continuing his career on the ground of the loss he would sustain by the abandonment of it, as Charles object to limiting his claims to sixty years, on account of the loss of revenue which he would suffer from the discontinuance of his depredations.

¶ This is miserable hypocrisy, a cloak to cover a system of fraud worthy of a band of pirates. A perusal of Chapter IX. will show how utterly the interests of religion were neglected in Ireland, and the deplorable state of the established church at the time when this pretended solicitude for religion was pleaded as a leading motive with the administration for their spoliations.

falsehood. He sent to Charles I. the whole document as agreed on between that monarch and the Irish Catholics, with the remarks of the existing parliament, accompanied, as we see, by his own observations on, and objections to, the greater part of them. Yet he boldly asserted to the parliament, that he would not transmit the item for limiting the claims of the crown to sixty years, "or any other of the graces prejudicial to the crown."*

Of all the so-called graces, the 24th, which limited the claims of the crown to sixty years, was by far the most important. The Irish had been above a century harassed by inquiries into defective titles, and been robbed and plundered by the government and by individuals to a most enormous extent, unparalleled in any other country in the world. They had made a solemn contract with Charles I. in 1628, whereby they agreed to remit the payment of a loan of 150,000*l.* and to furnish three subsidies of 40,000*l.* each, for some acts of *justice*, which by a misnomer were styled "*graces.*" They were by a miserable piece of chicane basely defrauded of the *quid pro quo*, to the eternal dishonour of Charles. Under the administration of Lord Strafford, in 1633, the subject was resumed, and he, lawless and unprincipled, undertook to refuse several of those "graces:" among the rest, the two principal; of which one was, that sixty years quiet possession should in Ireland, as in England, bar all claims to land, on the part of the crown—the other, that patents for land should be granted to the nobility and gentry in Connaught, for which they had duly paid, but which had not issued merely through the negligence or fraud of the clerks in office. And for the king or his minister to take advantage of this neglect on the part of their own officers, was as fraudulent, and as base a trick, as it would be in a merchant who had received payment for a vessel or cargo, but had not given a receipt for the amount, to endeavour to swindle the honest bona fide purchaser out of the article purchased and honourably paid for. But Strafford, possessed by the most insatiable spirit of rapine, and contemplating that stupendous scheme of depredation, the plantation of Connaught, whereby the landed proprietors of that province were to be despoiled of a third, or a fourth part of their estates, peremptorily rejected the fulfilment of the contract, and took upon himself the whole odium of the infamous measure, and this is the rapacious satrap over whom Hume, one of the most celebrated English historians, cants and whines as if he were an Aristides, and were as wickedly sacrificed as De Witt. Charles I., with a destitution of honour and honesty worthy only of a buccaneer, rejoiced to be freed from the performance of his contract, and to find his favour-

* "We are resolved, not only privately to transmit our humble advices upon every article of the graces, but on Tuesday next to call this committee of the commons before us, and plainly tell them, *we may not with our faith to our master give way to the transmitting of this law of threescore years, or any other of the graces prejudicial to the crown;* nay, must humbly beseech his majesty they may not be introduced to the prejudice of his royal rights, and clearly represent unto the king, that he is not bound, either in justice, honour, or conscience to grant them. And so putting in ourselves mean betwixt them and *his majesty's pretended engagements!!! take the hard part wholly from his majesty and bear it ourselves, as well as we may;* and yet no way conclude his majesty to apply all the grace to himself, which yet I trust he will not inlarge further than stands with wisdom, reason, and the prosperity of his own affairs."—Strafford, 279.

ite assuming the disgrace of the transaction, of which his Irish subjects were the victims, wrote him with his own hand a letter of the most unqualified approbation.

"Wentworth,

"Before I answer any of your particular letters to me, I must tell you that your late public despatch has given me a great deal of contentment; and especially for keeping off the envy of a necessary negative from me of those unreasonable graces that people expected from me.*

CHARLES R."

For this fraudulent proceeding, Carte presents the following apology:—

"They were, indeed, both of them contrary to the intention of the commission then on foot *for the remedy of defective titles*, and would have raised great difficulties in the execution of it. This was a work the deputy had exceedingly at heart, as well for the improvement and settling of his majesty's revenue, as *for securing the estates and quieting the minds of the subjects universally throughout the kingdom!!!!*"—CARTE, I. 31.

It would be difficult to find a more complete specimen of absurdity and sophistry than is here displayed. The committee for the *remedy of defective titles*, was in its operation a committee for *finding flaws in titles*, and depredating on the possessors of lands—a system which, I repeat, had been carried to the most oppressive extent for a century, and harassed and plundered half the gentlemen in the kingdom. The chief "grace" in question, was to put an end to this wretched and oppressive system of depredating by antiquated claims, derived from the days of Henry II. or III. or IV. or V. Its object was to bar any claim on the part of the crown of an earlier date than sixty years. And yet Carte believed, or affected to believe, and desired to persuade his readers, that the refusal of so very equitable a regulation, arose from a desire of "*securing the estates and quieting the minds of the subjects universally throughout the kingdom!!*" whereas its obvious and inevitable tendency was to produce an effect diametrically opposite, and to unhinge the titles and "*disquiet the minds of the subjects universally* throughout the kingdom."

* Strafford, I. 331.

CHAPTER XV.

Corruption and fraud in the election of members of parliament. Judges of election return themselves. Outlaws and non-residents elected. Forty new boroughs created at once in mean and insignificant places. Injustice, partiality, and pedantry of James I. Despotism of Strafford. Dublin election. Case of Sir Piers Crosby. Poyning's law.

"Hence charter'd boroughs are such public plagues,
And burghers *** a loathsome body, only fit
For dissolution."—Cowper.

"Such a house of commons *** is but an indecent mockery of the common sense of the nation."—Junius.

The seventh chapter presented a sketch of the frauds practised in the elections of two parliaments held under Elizabeth. Those that took place in the elections for two held under James I. and Charles I. remain to be stated.

The first of these parliaments was held anno 1613. The whole number of boroughs represented, previously to that period, was thirty; but for this parliament, in order to secure an overwhelming majority, there were forty new boroughs created, in places where the government had decided influence, and nearly the whole in shabby, contemptible hamlets,* which had not the least claim to a representation.†

The chief of these boroughs were incorporated immediately before issuing the writs for the election; but it being found that even with this reinforcement, the ascendancy of the government would be doubtful, with a most hardened and profligate disregard of even the forms of justice, many boroughs were incorporated after the writs had been issued, lest the recusants should have a majority of the members.‡

Sir John Davies feebly attempts to palliate this outrage on justice;

* "A number of new boroughs, most of them *inconsiderable*, and *many of them too poor to afford wages to their representatives*, must be entirely influenced by government, and must return *its immediate creatures and dependents*. Such an accession of power could not fail to encourage the administration to act without reserve, and pursue the dictates of its passions and resentments."—Leland, II. 519.

† The petition of the lords to King James, states the existence of "a fearful suspicion, that the project of erecting so many corporations *in places that can scantly pass the rank of the poorest villages in the poorest country in Christendom*, do tend to nought else at this time, but that, by *the voices of a few, selected for the purpose*, under the name of burgesses, extreme penal laws should be imposed upon your subjects here."—*Idem*, 521.

‡ "The deputy continued to *increase the new boroughs to the number of forty*, of which *several were not incorporated, until the writs for summoning a parliament had already issued!*"—Idem, 522.

but with about the same success as attended his elaborate vindication of the Ulster spoliation.*

How barefaced an undertaking! To defend so profligate a measure, as the creation of "forty boroughs, *or thereabouts*, at once, *graciously and justly*," and in such mean and contemptible places,† for the purpose of overruling the voice of the real representatives of the nation, and enabling the government to pass what laws it pleased! How self-condemned he must have felt!

The word "*thereabouts*" deserves consideration. It is highly probable, although there are at present no means of ascertaining the fact, that the number of new boroughs greatly exceeded *forty*, which number, or even half the number, would be abundantly sufficient to establish the gross iniquity of the whole proceeding. Sir John states the number of counties, towns and boroughs, entitled to return members to parliament before that period, to have been twelve or thirteen of the first, and "thirty at least" of the other two. It was not for the advantage of his argument to have underrated the number—and he was too able a lawyer to afford any advantage against himself. It is therefore not to be supposed that the number exceeded his statement. These *forty-three* counties, towns, and boroughs, returned, therefore, only *eighty-six* members to parliament; whereas the whole number elected was *two hundred and forty-two*. It therefore, I trust, appears conclusively that there were seventy-six new boroughs created at that period.

It may, perhaps, be objected, that in King James's speech it is stated, that the deputies complained of only *fourteen false returns*, that is, probably returns from fourteen boroughs. These must have been objected to, on account of specific frauds, wholly independent of the new boroughs, of which the deputies complained loudly and justly; as these new boroughs, even supposing Sir John's statement correct, must have returned eighty members.

Abandoned as was this system, it did not comprise one-half of the injustice or wickedness of the election. The same course was pursued as in the parliament of 1568. Many non-resident Englishmen were returned; some of the judges returned themselves! and a number of

* "His majesty hath *most graciously* and *justly* erected divers new boroughs, in sundry parts of the kingdom."—Davies, 304.

"Certainly the number of these new boroughs, compared with the counties that never had any burgesses before this time, doth carry a less proportion than the ancient boroughs, compared with the number of the ancient counties; for in those twelve or thirteen old shires, there are *thirty cities and boroughs*, at least, which send citizens and burgesses to the parliament. Whereas, for seventeen counties at large, being more than half the shires of this kingdom, which had not one borough in them before this new erection, his majesty hath now lately erected BUT FORTY NEW BOROUGHS! *or thereabouts*, which, in the judgment of all indifferent men, must needs seem reasonable, just, and honourable!!!"—*Idem*, 306.

† "A number of new boroughs, most of them inconsiderable, and many of them too poor to afford wages to their representatives, *must be entirely influenced by government, and must return its creatures and immediate dependants.* Such an accession of power could not fail to encourage the administration to act without reserve, and *to pursue the dictates of its passions and resentments.*"—Leland, II. 519.

wretched *outlaws* completed the list of the members of that house of commons which attainted Tyrone and Tyrconnel!!!!

To heighten the wickedness of the proceedings, in imitation of the example set under Queen Elizabeth, no writs were issued to sundry ancient boroughs, which, from their population and charters, were entitled to representatives!!*

The lords and commons, seeing their rights thus daringly trampled under foot, the law of the land shamefully violated, and the legislation of the nation virtually thrown into the hands of a greedy and devouring horde of strangers, made a struggle as ardent, but as ineffectual, as had taken place in 1568. They were baffled by the address, overcome by the power, and compelled to yield to the wicked views, of a profligate government. They despatched commissioners to the court of King James, to petition him for redress: † but they were treated with insult and outrage. Two of them were, under some frivolous pretence, thrown into prison in London,‡ for alleged insolence of conduct: the case was referred to the British privy council;§ and they were dismissed with an impertinent, frothy, bombastic speech from the king.‖

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* "It was asserted by them, in support of their opposition, that the sheriffs had sent *no writs to several of the boroughs;* that *from others, the returns would not be received;* that *most of the patents and charters of the new boroughs were dated after the commissions for the writs were issued!!!*"—CRAWFORD, I. 346.

† *Extract from the petition of the Irish lords.*

"That it may be cause of great discontentment to your majesty's subjects in Ireland, that so great a number of those, who have no estates to oblige them to the defence of that kingdom, should give voices in parliament there to make laws."—*Parl. Hist.* vol. VIII. 251.

"The recusant lords and commons of the pale dispatched letters to the king and the English council, urging the grievance of the new boroughs, *incorporated with such shameful partiality, and represented by attornies' clerks, and servants of the lord deputy, and the violence done to Everard, chosen speaker by a majority of undoubted representatives;* imploring to be heard by their agents, and renouncing the royal favour, should they fail in any point of proof."—LELAND, II. 527.

‡ "It seemed no auspicious incident to the Irish agents, that Talbot and Luttrel, for some late or present insolence of conduct, *were committed prisoners*, one to the tower, the other to the fleet."—LELAND, II. 529.

§ "In flagrant violation of the rights of the Irish parliament, he referred the final determination of it to the English privy council. Their decision was, that several of the returns were illegal."—CRAWFORD, I. 346.

"The members returned from those *boroughs which were created* AFTER THE WRITS HAD BEEN ALREADY ISSUED, were, *for the present*, declared incapable of sitting."—LELAND, II. 531.

‖ *Extract from the speech of James I. to the lords of council in presence of the Irish deputies.*

"Then came petitions to the deputy, of a body without a head, a headless body: you would be afraid to meet such a body in the streets: a body without a head to speak, nay, half a body: what a monster were this, a very bug-bear! Methinks you, that would have a visible body head of the church over all the earth, and acknowledge a temporal head under Christ, ye may likewise acknowledge my viceroy or deputy of Ireland.

"The lower house here in England doth stand upon its privileges as much as any council in Christendom: yet if such a difference had risen there, they would have gone on with my service notwithstanding, and not have broken up their assembly upon it. *You complain of fourteen false returns. Are there not many more complained of in this parliament, yet they do not forsake the house for it?* Now, for your complaints touching parliament matters, I find no more amiss in that parlia-

On no occasion did James ever display more impertinence and folly than in this speech, although these qualities entered largely into all his royal compositions. He arrogantly asked the deputies "*what is it to you whether I make many or few boroughs?*" "*What if I had made forty noblemen and four hundred boroughs? the more the merrier, the fewer the better cheer.*" Admirable logic! Royal equity! Such was the manner in which the rights and liberties, and ultimately the property of the Irish, were sported with.

Notwithstanding the enormity of the grievances of which they complained, a portion of which were admitted by James himself, and the justice and propriety of an appeal to the crown for that redress which was unattainable at home, the chief of the petitioners, all of whom were members of parliament, were thrown into prison in Dublin.* It is difficult to realize in the mind such horrible violations of honour, honesty and justice.

Although aided by these shameless and abandoned frauds, the administration had but a small majority. Their usurping minions and parasites were only a hundred and twenty-five, and the recusant party were a hundred and one:† there were six absent members, whose politics are not known. It is easy to conceive what a decided majority the recusants would have had, but for the profligate disregard of every semblance of honour and justice, which, during the election, had

ment, than in the best parliament in the world; escapes and faults of sheriffs there may be, yet not proved; or if it had been proved, no cause to stay the parliament; all might have been set right by an ordinary course or trial, to which I must refer them. But *you complain of the new boroughs*, therein I would fain feel your pulse, for yet I find not where the shoe wrings. For, first, you question the power of the king, whether he may lawfully make them? And then you question the wisdom of the king and his council; in that you say, that there are too many made. It was never before heard that any good subjects did dispute the king's power in this point. *What is it to you, whether I make many or few boroughs!!!!* my council may consider the fitness of it, if I require it; but *what if I had made forty noblemen, and four hundred boroughs!! the more the merrier, the fewer the better cheer!!* But this complaint, as you made it, was preposterous; for in contending for a committee, before you agreed of a speaker, *did put the plough before the horse, so as it went untowardly like your Irish ploughs;* but because the eye of the master maketh the horse fat, I have used my own eyes in taking a view of those boroughs, and have seen a list of them all. God is my judge, I find the new boroughs except one or two, to be as good as the old, comparing Irish boroughs new with Irish boroughs old (for I will not speak of the boroughs of other countries;) and yet, besides the necessity of making them, like to increase and grow better daily.

"I seek not *emendicata suffragia; such boroughs as have been made since the summons, are wiped away at one word, for this time;* I have tried that, and done you fair play, but you that are of a contrary religion, must not look to be the only lawmakers; *you that are but half subjects, should have but half privilege; you that have an eye to me one way, and to the pope another way, the pope is your father in spiritualibus, and I in temporalibus only;* and so have your bodies torn one way, and your souls drawn another; you that send your children to the seminaries of treason, strive henceforth to become full subjects, that you may have *cor unum* and *viam unam*, and then I shall respect you all alike; but your Irish priests teach you such grounds of doctrine, as you cannot follow them with a safe conscience, but you must cast off your loyalty to your king."—Plowden, I. App. 58.

* "The chief petitioners were confined in the castle of Dublin, and Sir Patrick Barnewall, their great agent, was, by the king's command, sent in custody into England."—Leland, II. 496.

† According to Leland.

governed the proceedings of the enemies of Irish happiness and prosperity.

In consequence of those abuses, the motley majority forced Sir John Davies into the chair, as speaker, although Sir John Everard had a great majority of the legal votes.

The journals of the house of commons bear witness to the destitution of honour and justice of the majority of that body and of the Irish administration. The acknowledgment of the culprits, is there recorded in the most unequivocal language:

"Nov. 19, 1613. It was resolved by the house of commons, That whereas some persons have been unduly elected, *some being judges! some for not being estated in their boroughs! some for being* OUTLAWED, *excommunicated!!* and lastly, for being *returned for places whose charters were not valid!!!* it was resolved not to question them for the present, in order to prevent stopping public business; but this resolution was not to be drawn into precedent!!!"—MOUNTMORRES, I. 169.

"On the 24th November, 1614, the order of the last session was renewed, verbatim, relative to postponing inquiries into the returns of members, &c. who were disqualified, as judges, *as being outlawed, &c. or returned for places which had no charters*" *!!!*—Idem, 173.

What an extraordinary contrast between these confessions and the speech of James I. in which he appears to regard the complaints of the parliament as unimportant! And how superlatively wicked in this state of things was the treatment of the Irish petitioners and their agents!

The view given of these proceedings by Carte, requires to be noticed as an additional proof of the obliquity and injustice which pervade the histories of Irish affairs, written by Protestant authors. Notwithstanding the barefaced frauds which took place in the elections, recorded, as we have seen, in the journals of the house of commons, yet this writer—in narrating the struggle made by the representatives, fairly and honestly chosen, to defeat the vile attempt to rob the nation of all the substantial advantages of the elective franchise, and to lay it prostrate at the mercy of a cabal of foreigners, forced into parliament in violation of the first principles of justice—loads the recusants with the severest censure, as if they had been the criminals, and the "*outlaws*" and other intruders had been really eligible and been elected with all the forms of law and custom.* It is a melancholy truth, that whenever the interests or the character of the two parties come in

* "The house consisted of two hundred and thirty-two members, six whereof did not appear. Those that were present disagreed in their votes; and after a hot debate, there appeared on a division to be one hundred and twenty-seven voices for sir John Davies, the attorney-general, besides his own; and for sir John Everard, (formerly one of the justices of the king's bench, an obstinate recusant,) who on resigning his judge's place, had, on May 14, 1607, a pension granted him of one hundred marks a year, there were ninety-eight with himself. The Roman Catholics had before their meeting made a wrong calculation of their numbers, and fancied they should have had a majority in the house; and now finding themselves outnumbered, were enraged at the disappointment, and being headed by sir James Gough, a hot turbulent man, sir William Bourke, sir Christopher Nugent, sir Christopher Plunket, W. Talbot and other lawyers, *proceeded in a way of tumult and violence; contrary to all right and rules of Parliament, to place* sir John Everard *in the chair!!* from whence he was at last removed, and sir John Davies, (than whom none was ever better qualified for the post,) placed therein."—CARTE, I. 19.

collision, this writer, and most of his co-labourers, almost uniformly display an odious partiality and injustice.

In the parliament held under Wentworth in 1634, the same vile practices were employed which had secured a majority for the administration in 1613. Most of the boroughs, in defiance of the law of the land, were represented by *non-residents*, chiefly officers of the government.* The Roman Catholics made an ardent struggle against this outrageous grievance. But the overwhelming power and the despotism of the deputy rendered their efforts fruitless. They were forced to submit.

No man ever understood the Machiavelian system—*divide et impera*—better than Wentworth. He never lost sight of it for a moment. The planters in Ulster having incurred some forfeitures by non-compliance with the conditions of plantation, he was urged to enforce the penalty—but postponed it, lest he might alienate them—for, says he, "the truth is, *we must there bow and govern the native by the planter, and the planter by the native.*"[1] He regulated the returns for the boroughs, where the power of the crown was predominant, just as he judged proper—and managed to keep the Protestants and recusants nearly equally balanced,† in order to play them off one against another, and thus carry every measure calculated to advance the interests of the administration at the expense of the nation.

The management of the election in Dublin affords a tolerable specimen of the system generally pursued in cities and towns throughout the kingdom. The protestant candidates were a Mr. Catelin, recorder of

* "Thursday the first of their sitting, the recusant party began, something warmly, to move *for the purging of the house*, as they termed it, with an aim, doubtless, to put out a *great company of the protestants upon the point of non-residency*; at last this settled in a committee of privileges to determine those questions; yet when it came to be named the house was divided, the protestants in a manner intire on one side, the papists on the other, and carried by the former, eight voices."—STRAFFORD, I. 277.

† "I shall endeavour, the lower house may be so composed, as that neither the recusants, nor yet the protestants, shall appear considerably more, one than the other, holding them as much as may be upon an equal balance, for they will prove thus easier to govern, than if either party were absolute. Then wou'd I, in private discourse, shew the recusant, that the contribution ending in December next, if your majesty's army were not supply'd, some other way before, the twelve pence a Sunday must of necessity be exacted upon them; and shew the protestant, that your majesty must not let go the twenty thousand pounds contribution, nor yet discontent the other in matters of religion, till the army were some way else certainly provided for." —*Idem*, 186.

"To secure this balance the more effectually, he laboured to get as many captains and officers chosen burgesses, as possibly he could, who, having an immediate dependence upon the crown, might *sway the business betwixt the two parties, which way they pleased, and by this means he got a majority returned of persons that were well affected to the church and crown, and ready to further his designs for the service of both!*"—CARTE, I. 62.

"The parties are in a manner equal, some few odds on the protestant party, and one watching the other, lest their fellows shou'd rob them, and apply the whole grace of his majesty's thanks to themselves from the other. An emulation *so well fomented underhand*, that when the motion for the king's supply was made yesterday in the house of commons, being the fifth day of their session, they did with one voice assent to the giving of six subsidies to be paid in four years."—STRAFFORD, I. 274.

[1] Strafford, I. 199.

the city and an alderman Barry. The names of the competitors are not mentioned. Wentworth, under pretence that the sheriff, the returning officer, had conducted himself "*mutinously*," fined him two hundred pounds, and five hundred pounds for not subscribing his examinations garbled in such a mode as to be a confession of guilt!—declared him disqualified from ever afterwards serving in that office!—had one of his creatures chosen in his place—and then of course the votes were so managed, that Catelin and Barry were returned without any difficulty. Against such tyrannical proceedings the subject had no remedy.* The only alternatives were submission or ruin by the oppression of the council chamber.

Wentworth was resolved that Catelin should be chosen speaker of the house of commons. Understanding that the members of that house contemplated choosing some other person, the insolent satrap was quite exasperated; and despatched the chancellor to them, with a mandate menacing his displeasure, if they should choose any other than the person "recommended by his majesty's privy council," which, at all events, would be utterly in vain, as "the conclusions must be according to his majesty's good will and pleasure."† His arbitrary power, imperious temper, and unrelenting disposition, were too well known, and the awe felt for him was too great, to admit of hesitation. His sovereign dictum was therefore as completely the law in this instance, as the dictum of the Emperor of Morocco in his capital.

In this parliament, after Wentworth had gained his end, by the grant of the subsidies for the crown, he contrived to prevent any other business being done.‡

* "A sheriff, that being set on by these fellows, carried himself mutinously in the election of burgesses for this town, we brought into the castle chamber, upon an ore tenus, where, upon what he had set under his hand, *we fined him two hundred pounds*, and *five hundred pounds more for his contempt in refusing to set his hand to another part of his examination*, both at the council-board, and in open court, disabling him for ever bearing that office hereafter in this city. Which wrought so good an effect, as giving order presently for choosing of a new sheriff, and going on the next day with the election again, the voices were all orderly taken, and the conformable proving the greater number, Catelin the king's serjeant and recorder of this town, and alderman Barry, a protestant, were chosen, *the former whereof I intend to make the speaker, being a very able man for that purpose!!!! and one I assure myself, will in all things apply himself to his majesty's service!!*—STRAFFORD, I. 270.

† "And understanding that there was a muttering amongst them of rejecting the recorder of this town for their speaker and chusing some other of themselves, *I directed the chancellor, to require them forthwith to assemble themselves in their house to choose their speaker*, who was to be presented before me the next morning by nine of the clock, wishing them to beware of falling into the same inconvenience the last parliament here did, in this the first act of a house of commons, telling them *it was not worth their contention*, considering the power of allowance was undeniably in the king, and that if he rejected, they were still to chuse another, and another, till his majesty approved thereof; and that it would be taken as an ill presage of some waywardness or frowardness of mind, reigning in them, if they should go about to deny such for their speaker as should be recommended by his majesty's privy council, which England never did; or to *struggle in a business wherein the conclusion must needs be according to his majesty's good will and pleasure, whether they would or no.* So they departed; and before dinner, without any noise or opposition at all, chose the recorder for their speaker."—*Idem*, 277.

‡ "The rest of this session we have entertained and *spun them out in discourses, but kept them nevertheless from concluding any thing*, yet have finished within

But independent of the frauds perpetrated in the elections, another grievance of a most serious nature existed in respect to parliament. The members, whose speeches or conduct in that body displeased the administration, were arbitrarily punished by imprisonment, so as to destroy the freedom of debate.*

I shall close this disgusting detail with the case of Sir Piers Crosby, which proves that the despotism of the deputy was not confined to the parliament, but extended equally to the privy council. Of this latter body Sir Piers was a member, and likewise of the house of commons.

In the latter capacity he voted against a bill, to which he had assented in the former. For this offence, as the deputy styled it, he was sequestered from the privy council board,† and refused permission to go to England, where he was desirous of laying his case before the king. Having, however, escaped clandestinely, he was arrested and imprisoned in London by order of Charles I.‡

The reader will probably be amazed at the fact of the refusal of license to repair to England. But such was the real state of the case. No man in public employment could leave the kingdom, even to repair to the court of the British monarch, without license obtained from his deputy, which was never granted to characters obnoxious to him, who might seek an opportunity to expose his misdeeds.

The case of Sir Piers is strong and striking. His standing in society was high; as he was a soldier of distinguished merit, and had acquired great reputation in an expedition to the coast of France, where he had been the principal means of preserving the English army in their retreat.‖ His sole offence, as above stated, was voting against an act proposed by the privy council. If the merits of such a man could not secure him from the degradation inflicted merely for the independent discharge of his duty as a member of the legislature, it is easy to conceive the slavish and abject state in which those members were generally held, who had no such claims to attention as belonged to the knight. His removal from the privy council board took place

the first limited time. No other laws passed but the two acts of subsidies, and that other short law for confirming all such compositions as are or shall be made upon the commission of defective titles."—*Idem*, 278.

* "The same day, [Nov. 4,1634,] the lord deputy Wentworth communicated an act of council for CONFINING AND IMPRISONING SIR JOHN DUNGAN AND CAPTAIN CHARLES PRICE, FOR WORDS SPOKEN IN PARLIAMENT!"—MOUNTMORRES, II. 10.

† Sir Piers Crosby, "in the second session of the late parliament, *ventured to oppose some measures of administration*. The deputy reprimanded and accused him of a violation of his oath, in voting against bills to which he had assented in council, and concurred in transmitting them. Crosby was sequestered from the council-board. He complained of the severity, by petition. *He desired license to repair to England*, as if resolved to appeal to the king. IT WAS REFUSED."—LELAND, III. 39.

‡ "Besides these agents there is notice also taken that sir Piers Crosby is come over without license; which being made known to his majesty, by his command I have sent a messenger to apprehend him, and bring him before the lords of the council, *who are required forthwith to commit him for his contempt*."—STRAFFORD, I. 476.

‖ Leland, III. 39.

by the express direction of the king, on the representation of Wentworth.*

From parliaments constituted in the manner above detailed, few measures were to be hoped for, but what were fraught with destruction to the happiness of Ireland. Almost universally majorities were secured in both houses, whose interests were in direct hostility with the best interests of the nation. And, in consequence, a large portion of the legislation has been an almost invariable tissue of outrage on every principle of sound political economy, honour, honesty, and good faith.

In a venal and corrupt parliament, packed in the reign of Henry VII. Sir Edward Poynings, then deputy, had a law passed which nearly destroyed the legislative power in Ireland; reduced her parliament almost to a level with a bed of justice in France; limited its operations to the mere enregisterment or rejection of edicts; and left it but a bare negative power of rejecting,† not of proposing any law.‡

By another law, passed during the administration of the same satrap, all the laws previously existing in England, were, at one stroke, made of force within the kingdom of Ireland.§

And, subsequently to this period, Ireland, without a single representative in the British parliament, was subjected to the operation of all the British statutes, in which she was "especially named or included under general words."—JACOBS, III. 534.

If the experience of the world did not afford numberless instances to prove, that those nations, which are the most jealous assertors of their own liberties, are the most consummate tyrants over subordinate nations, it would be a matter of astonishment that England, which, at various periods of her history, had lavished so much blood and treasure, in defence of her own rights and freedom, should have so uniformly violated every principle, not merely of liberty, but of justice, in her treatment of, and displayed such wanton tyranny towards, Ireland. The case of these two nations affords a most felicitous illustration of the judicious and profound remark of Hume, that it may be regarded as "a fixed maxim," that "though free governments have been commonly the most happy for those who partake of their freedom; yet ARE THEY THE MOST RUINOUS AND OPPRESSIVE TO THEIR PROVINCES."—HUME'S *Essays*, I. 47.

* "On the representations of Wentworth, his majesty directed him to be *removed from the privy council.*"—LELAND, III. 39.

† "A set of statutes were enacted, in the 10th Henry VII. (Sir Edward Poynings being then lord deputy, from whence they were called Poynings' laws) which restrained the power, as well of the deputy, as of the parliament: and in time there was nothing left to the parliament of Ireland, but *a bare negative, or power of rejecting*, NOT OF PROPOSING ANY LAW."—JACOBS, III. 534.

‡ "This day [August 2, 1634] was remarkable for a dispute between the lords and the lord deputy, about the framing of acts; which right by Poynings' law, he contended, was *in himself and the council only;* and *parliament had only power to prefer a petition to them for that purpose;* and lord Strafford entered a memorable protest, upon this occasion, in the journals."—MOUNTMORRES, I. 323.

§ "It was enacted, by another of Poynings' laws, that all acts of parliament, before that time made in England, should be of force within the kingdom of Ireland."—JACOBS, III. 534.

CHAPTER XVI.

Definition of Plantations in Ireland. Nefarious scheme for subverting the title of every estate in Connaught. Barefaced bribery of judges. Packing of juries. Lawless depredations. Enormous fines. Unjust imprisonment. Obduracy.

> "Not ev'n the high anointing hand of heav'n
> Can authorize oppression; give a law
> For lawless pow'r; wed faith to violation;
> On reason build misrule; or justly bind
> Allegiance to injustice."—BROOKE.

THE plantation, as it is called, or rather, the spoliation of Connaught, demands a special chapter, as forming a most important feature in the history of the period embraced in the present division of this work, and exhibiting a complicated scene of rapine, fraud, and oppression not often exceeded in the annals of human injustice.

It is necessary to enter into some explanation of the term "*plantation*," a favourite but deceptious expression in the reign of James I. and Charles I. Plantations were undertaken under the hypocritical cloak of a regard for the civilization of the Irish, the good of religion, and the glory of God—but the real motive was a devouring spirit of rapine and plunder.

In the disordered state of Ireland, the records of deeds were frequently lost or destroyed—and the titles of estates that had remained in the same families for centuries, were by these and other means sometimes involved in doubt, which invited the depredations of those harpies, the spies and informers, whose proceedings are developed in Chapter XVIII. and who were constantly employed in seeking out what they called defective titles, and setting up claims for the crown. If the party acquiesced in the claim without opposition, a certain portion of his land, perhaps a fourth or a fifth part, was taken for the benefit of the informer, and an annual rent imposed on the owner for the remainder. If he resisted the claim, relying on the justice of his title, the question was brought before a jury—when *no council was allowed!!!* and *no time given for preparation!!!** As the juries were liable to be cited into the castle chamber, under pretence of perjury, if their verdicts did not suit the purposes of the government, the decision was generally, indeed with scarcely a single exception, in favour of the crown. In this case, as a punishment for what was styled the contumacy of the party, and as a terror to others, one-third or one-half† of the estate was sequestrated, and "*a plantation*" established there of English or Scotchmen.

* These shameful facts rest on the authority of the deputy Wentworth, who, as we shall see, page 170, claims merit for innovating on the ancient practice!

† For a confirmation of the existence of this hideous practice I likewise refer to Strafford's Letters, quoted page 174.

It has been seen, page 133, that James had proposed to make a "*plantation*" in Connaught; but that his project was defeated by Death, who snatched him away in the midst of his career, to render an account in another world, before the omniscient Judge of mankind, of his rapine and depredation in this. But, alas! the respite thus afforded to the western province of Ireland was of short duration. During the succeeding reign, the nefarious project was revived, by the arrogant, rapacious, and vindictive Wentworth, who meditated nothing less than the subversion of the title of every estate in the province.*

He had so managed the elections of members of the parliament of 1634, and was so fully determined on the plantation of Connaught, that he was quite confident of being able to procure the passage of an act for that purpose, should he be disappointed of the verdicts of juries in favour of the crown.†

The landed proprietors of Connaught, the destined victims of this rapacious scheme, had been terrified into a surrender of their lands to Elizabeth, in order to take out letters patent for them; but unfortunately the surrenders were not enrolled. To remedy this, anno 1617, they surrendered them again, and received patents under the great seal. These likewise were not enrolled, through the neglect of a clerk, or

* "His project was *nothing less than to subvert the title to every estate in every part of Connaught!!* and to establish a new plantation through this whole province; a project, which, when first proposed in the late reign, was received with horror and amazement, but which suited the undismayed and enterprising‡ genius of Lord Wentworth. For this he had opposed the confirmation of the royal graces, transmitted to lord Faulkland, and taken to himself the odium of so flagrant a violation of the royal promise. The parliament was at an end; and the deputy at leisure to execute a scheme, which, as it was offensive and alarming, required a cautious and deliberate procedure. *Old records of state*, and *the memorials of ancient monasteries*, were ransacked, to ascertain the king's original title to Connaught. It was soon discovered, that in the grant of *Henry the Third* to Richard De Burgo, *five cantreds were reserved to the crown*, adjacent to the castle of Athlone; that THIS GRANT INCLUDED THE WHOLE REMAINDER OF THE PROVINCE! which was now alleged to have been forfeited by Aedh O'Connor, the Irish provincial chieftain; that the lands and lordship of De Burgo descended lineally to Edward the Fourth! and were confirmed to the crown by a statute of Henry the Seventh. The ingenuity of court lawyers was employed to invalidate all patents granted to the possessors of these lands, from the reign of queen Elizabeth."—Leland, III. 35.

† "This house is very well composed, so as the protestants are the major part, clearly and thoroughly with the king. * * * And considering, in truth, that the popish party only have appeared to be averse to all reformation or order in the government, *it will be a good rod to hold over them*, when they shall see it is in the king's power to pass upon them by a plurality of voices all the laws of England concerning religion, which, howbeit, I do not now dispute whether it be fit or not fit: yet to have the power with the king is not amiss; and may be otherwise used with great advantage for his majesty's service. It may *serve of great use to confirm and settle his majesty's title to the plantations of Connaught and Ormond!!* For, this you may be sure, *all the protestants are for plantations!* all the other against them; so as those being the greater number, *you can want no help they may give you therein. Nay, in case there be no title to be made good to these countries for the crown!!! yet should I not despair forth of reason of state, and for the strength and security of the kingdom, to have them passed to the king by immediate act of parliament!!!*"—Strafford, I. 353.

‡ What a prostitution of terms! "*Enterprising*" forsooth! rapacious or piratical would be far more appropriate.

more probably through the fraud of some of the officers of government, who were desirous of availing themselves of the opportunity of depredating on the owners. For the enrolment a large sum had been paid. As a remedy for all these errors, an act of grace was made in 1618, full in their favour.* And, finally, as I have stated in the last chapter, they had paid Charles 270,000*l.* sterling for this and other graces.

That the titles of those proprietors were as unimpeachable as those of any proprietors in the world, will not be questioned by any man of candour; and nothing but an utter destitution of every principle of honour and honesty, could have led to an attempt to invalidate them. Yet it was under these circumstances, that Wentworth undertook his project of the plantation of Connaught.

As soon as the parliament was adjourned, Wentworth made his excursion into Connaught to carry this favourite scheme into execution. He had sought in vain for any plea on which to ground a claim for the crown.† But he was not to be deterred by such a difficulty—and

* "The lords and gentlemen of the province of Connaught and the county of Clare, had made a composition with sir John Perrot, and had thereupon surrendered their estates into the hands of queen Elizabeth; but had generally neglected to enrol their surrenders, and take out letters patents for them, as they were obliged to do by the instrument of the composition.

"*This defect was supplied in the thirteenth year of king James*, when a new commission was issued out to receive the surrenders of their several estates, and *to pass unto them, and their heirs, letters patent for their respective lands to be holden of the crown, as of the castle of Athlone by knight's service:* the surrenders were accordingly made, and *patents passed to them under the broad seal;* but neither were these enrolled in Chancery.

"This rendered all their titles defective; and the lands remaining still vested in the crown, it was proposed to make such a plantation there as had been made in Ulster. *The omission was not so much the wilful default of the subject as the neglect of a clerk intrusted by them; for they had paid near* 3000*l. to the officers at Dublin for enrolments of these surrenders and patents, which were never made!!* There was an act of state made in lord Grandison's time, and dated 14th May, 1618, full in their favour, and *confirming their possessions;* and they *had paid great sums of money for it into the exchequer; they were quietly settled on their lands, and paid the king his composition better than any part of the kingdom!!* It was hard in these circumstances *to turn them out of their estates upon a mere nicety of law!* which ought to be tenderly made use of in derogation of the honour and faith of the king's broad seal. It was a troublesome affair to engage in a plantation, the work of many years, and ever attended with great difficulties, in reconciling the jarring interests of all parties, so as to give satisfaction to the particular persons who were to be provided for, and adjust their several allotments in such a manner, as to promote the general good. It was dangerous also to make the experiment in a whole province at once, in a province so strongly situated as Connaught was, inhabited by an active people, and abounding in idle swordsmen, more numerous, as well as more dangerous, than any in Ireland; and where, if the plantation was carried on with all the mildness and grace that was possible, *it must of necessity turn out many thousands of poor people to beg their bread!!* and particularly seven thousand idle fellows, (as booked down by officers, and given in a list to the lord deputy,) that were fit for nothing but arms, and who, living at present upon their friends and relations, must then be forced to seek and push their fortunes."

† "How to make his majesty's title to these plantations of Connaght and Ormond (which, considering they have been already attempted and foil'd, is, of all the rest, the greatest difficulty) *I have not hitherto received the least instruction from your lordship or any other minister of that side.*"—Strafford, I. 339.

"Howbeit these plantations of Connaught and Ormond may seem to be far off,

the plan generally pursued was well calculated to facilitate his schemes. The judges were bribed, and the juries packed.

The nefarious system of bribing the judges stands recorded by Wentworth himself!!! To interest the court, and insure its assistance in the depredation on the unfortunate Irish, he advised the monarch to bestow on the lord chief justice and the chief baron four shillings in the pound out of the first years rent raised out of the depredated estates!!! Charles, worthy of such a profligate representative, bestowed, and the judges, worthy of such a monarch and such a deputy, received these wages of their prostitution!

Well might Shakspeare exclaim—

> "Thieves, for their robbery, have authority,
> When judges rob and steal."

The bribe produced the desired effect—for the judges laboured the causes with as much zeal, as if they were the plaintiffs themselves.*

The annals of governmental fraud and villany afford very few more flagrant cases. Who can read the detail without horror? A king conspires with his vicegerent, to despoil and plunder his defenceless subjects, whose protection is one of his most sacred duties. To insure success in this flagitious undertaking, they destroy the purity and independence of the court by direct bribery of the judges! And the amount of the bribe depends on the extent of the depredation. They agree to share among them the "*first fruits*" of the spoil, which are divided into five parts, of which four fall to the king and deputy, the master plunderers, and the fifth to their agents and accomplices, the judges! Yet, this monarch is by bigoted royalists reverenced as a Marcus Aurelius, the exemplar of every royal virtue!

It cannot be amiss to translate into plain English a sentence in the annexed note, and establish its true purport, as shedding further light on this most iniquitous transaction. "Every four shillings once paid, shall better your revenue for ever after at least five pounds." There is but one meaning to be attached to these words; and that is, that for every acre which would fall to the crown, without the bribe, twenty-five would be spoliated in consequence of that powerful agent! Great God! what a view this presents! what abhorrence it must excite in every upright mind!

But the iniquitous deputy was not satisfied with corrupting the judges. He directed an equal degree of attention to the jurors, of whom he sought out two kinds, one poor and needy, who might easily be bribed—the other very wealthy, whom he might plunder by

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when *as yet I have not been enabled by the discovery of any title to either of them* from any minister on that side!!! And this is the principal verb, without which, all other discourse will prove light and empty. *But I trust singly* (with your majesty's countenance to support and fortify me,) *to work through all these difficulties!*" —Idem, 342.

* "Your majesty was graciously pleased upon my humble advice, to bestow four shillings in the pound upon your lord chief justice and lord chief baron in this kingdom, forth of the first yearly rent raised upon the commission of defective titles!!! which, upon observation, I find to be the best given that ever was: For *now they do intend it with a care and diligence such as it were their own private!!!! And most certain, the gaining to themselves every four shillings once paid, shall better your revenue for ever after at least five pounds!!!!*"—STRAFFORD, II. 41.

heavy fines, if they did not comply with his wishes.* In the latter case he would have, to use his own words, "persons of such means as might answer to the king in a round fine in the castle-chamber!"—STRAFFORD, I. 442.

"I will redeem the time as much as can be, treat with *such as may give furtherance in finding of the title, which, as I said, is the principal,* ENQUIRE OUT FIT MEN TO SERVE UPON JURIES."—*Idem,* 339.

The success attending the bribery of the judges in the case of the inquest into defective titles, induced Wentworth to urge his royal master to bribe in the same mode the chief baron and the barons of the exchequer, in cases of compositions with the recusants in the south.†

Wentworth began his career with the county of Roscommon,‡ where he made a frothy address to the grand jury, in which he canted on the honour and equity of his royal master, and the benevolence of his views towards his good subjects of Connaught.§ But the jet of it was

* "Before my coming from Dublin I had given order, that the gentlemen of the best estates and understandings should be returned, which was done accordingly, as you will find by their names. My reason was, that this being a leading case for the whole province, it would set a great value in their estimation upon the goodness of the king's title, being found by persons of their qualities, and as much concerned in their own particulars as any other! Again, *finding the evidence so strong, as unless they went against it, they must pass for the king, I resolved to have persons of such means as might answer the king a round fine in the Castle-chamber in case they should prevaricate!!!* who, in all seeming even out of that reason would be more fearful to tread shamefully and impudently aside from the truth, than such as had less, or nothing to lose!"—STRAFFORD, I. 442.

† "This I only mention in regard, *if some such like reward were placed upon your chief baron and barons of the exchequer there!!! forth of compositions made by them* for your majesty with the recusants in the south, and your majesty pleased, upon the declaring your bounty, to call them to you, and withal recommend the care of the business to them, I am verily persuaded it would very much raise unto your profit those compositions!"—*Idem,* II. 41.

‡ "Wentworth, at the head of the commissioners of plantation, proceeded to the western province. The inhabitants of the county of Leitrim had already acknowledged the king's title to their lands, and submitted to a plantation. It was now deemed expedient to begin with those of Roscommon. The commission was opened in this county; the evidences of the king's title produced, examined, and submitted to a jury, formed of the principal inhabitants, purposely, (as the lord deputy expressed it,) that '*they might answer the king a round fine in the castle-chamber, in case they should prevaricate.*' They were told by Wentworth, that his majesty's intention, *in establishing his undoubted title was to make them a rich and civil people!* that he purposed not to deprive them of their just possessions, but to invest them with a considerable part of his own; that he needed not their interposition, to vindicate his right, which might be established by the usual course of law, upon an information of intrusion; but that he wished his people to share with him *in the honour and profit of the glorious and excellent work* he was now to execute!!! to his majesty it was indifferent, whether their verdict should acknowledge or deny his title."—LELAND, III. 36.

§ "I told the jury, the first movers of his majesty to look into this his undoubted title were the princely desires he hath to effect them *a civil and rich people!!! which cannot by any so sure and ready means be attained as by a plantation,* which therefore in his great wisdom he had resolved; yet that it should be so done as not to take any thing from them which was justly theirs, but in truth *to bestow amongst them a good part of that which was his own!* that I was commanded to ascertain them, that it was his majesty's gracious resolution to question no man's patent that had been granted formerly upon good considerations, and was of itself

the comfortable information, that his majesty was indifferent "whether their verdict should acknowledge or deny his title;" conveying thereby a clear idea that he would adopt some other mode of attaining his right; the "*path to which lay so open and plain before him.*" He gave them to understand, that if they consulted their own true interest, they would find for the crown, as they would then have better terms than "if they were passionately resolved to go over all bounds to their own wills."

In the plea put in by the counsel for the crown, it was pretended that the "records and evidences" proving the title, "were embezzled out of the treasury at Trim,"* which is in all probability a mere fabrication to afford a pretext for the seizure of the lands. It is in the same plea asserted, that an act was passed in the tenth year of Henry VII. anno 1494, to entitle that king and his heirs to enter on and seize all the manors, lordships, &c. in the province of Connaught. However strange it may appear, it is all but certain, that this was a mere fiction; as there is now before me a copy of the Irish statutes, published by authority, anno 1678, in which this law does not appear. And a public law of such importance would scarcely be omitted in an edition pub-

valid in the law; his great seal was his public faith, and should be kept sacred in all things; that the king came not to sue them to find for him, as needing any power of theirs to vindicate his own right; for without them where his right is so plain, he could not in justice have been denied possession upon an information of intrusion; the court in an ordinary way of exchequer proceeding would, must have granted it upon the first motion of his attorney-general."—STRAFFORD, I. 443.

"With this I left them marvellous much satisfied; for a few good words please them more than you can imagine."—*Idem*, 442.

"His majesty, being desirous in these public services to take his people along with him, was graciously pleased, *they should have as well a part with him in the honour as in the profit of so glorious and excellent a work for the commonwealth*; that therefore his majesty was indifferent, whether they found for him or no, and had directed me to press nothing upon them in that kind, where the path to his right lay elsewhere so open and fair before him. But yet of myself, and as one that must ever wish prosperity to their nation, I desired them first to descend into their own consciences, take them to counsel, and there they should find the evidence for the crown clear and conclusive; next, *to beware how they appeared resolved or obstinate against so manifest a truth, or how they let slip forth of their hands the means to weave themselves into the royal thoughts* and care of his majesty thorough a chearful and ready acknowledgment of his right, and a due and full submission thereunto; so then, if they would be inclined to truth and do best for themselves, *they were undoubtedly to find the title for the king.* If they were passionately resolved to go over all bounds to their own will, and without respect at all to their own good, to do that which were simply best for his majesty, then *I should advise them, roughly and pertinaciously to deny to find any title at all. And there I left them to chant together, (as they call it,) over their evidence!*"—Idem, 443.

* "The records and evidences which should intitle the crown to these lands amongst others *were imbezzled out of the treasury of Trim to the disherison of the crown.* For remedy whereof, by a statute made in Ireland, 10 Henry VII. it was declared, that 'the lordship of Connaght was annexed to the crown,' and it was further enacted 'that it should be lawful for the king and his heirs to enter and seize in all such manors, honours, lordships, castles and tenements, rents, services, moors, meadows, pastures, waters and mills, with their appurtenances, &c. appertaining to the said lordship of Connaght (amongst other things) and to seize all and every ward or wards, escheat, waifs, felons' goods, and all other things appertaining or belonging to the said lordship, whereof any manner leful title or discharge of the king's interest cannot be shewed.'"—*Idem*, 455.

lished under the auspices of government. But admitting this statement to be all sacredly true, it does not materially affect the question. Suppose for a moment that a prostitute parliament had in 1494 passed an act, vesting in the crown the whole province, could this, after a lapse of 140 years, give a title in the eye of justice? Could any thing but the most lawless rapacity have preferred and pursued a claim on such miserable ground? No certainly. If an act of parliament could in this manner transfer to the crown an entire province, on the same ground a claim might have been readily made out to the fee-simple of the whole island on the ground of the act passed during the reign of Elizabeth, as quoted page 98.

The villany of this scheme of depredation far exceeded that practised in former times. Some attention had been till now paid to letters patent, duly authenticated from the crown. These were generally regarded as affording proofs of good titles; and rescued the possessors from the ruin inflicted on their neighbours. But the chief part of the lands in Connaught, proposed to be spoliated by Wentworth, being fenced round with patents, he found that his project would be defeated, and he be deprived of his prey, if he admitted the validity of letters patent. He therefore determined to reject them; and so utterly regardless was he of even the slightest appearance of honour or honesty, that he assigns, as a justification of the extensiveness of his spoliation, the very reason that should have been a shield to rescue the sufferers from his merciless gripe.*

One part of Wentworth's address has escaped observation heretofore, which nevertheless deserves the most pointed attention. It would afford room for a commentary of a volume on the hideous oppression and rapacity of the Irish government.†

A government, whose paramount duty is to protect the persons and property of its subjects, pursues for centuries a piratical system of legal warfare on their property; advances claims to estates, one, two, three, or four hundred years old; suspends fines and imprisonment over the heads of the jurors; bribes the judges; and, let it be deeply engraven on the mind of every man of candour, that for above four hundred years, the men whose estates it sought to spoliate, were never, till the time of Wentworth, allowed the favour of "*being*

* "We considered that in former plantations here all men claiming by letters patent had the full benefit of them either in enjoying the lands granted them, or other land equivalent thereunto, whether their letters patent were valid or invalid. And indeed in those plantations that favour might better be yielded, *where the lands claimed by letters patent were not any great or considerable proportions of lands*, than here, where *almost all the lands falling under plantation are granted or mentioned to be granted by letters patent!!!!* so diligent have these people been to gain the countenance of letters patent, hoping thereby to anticipate the rights of the crown. So as, if we should hold up to that course of allowing all letters patent, and *not lay hold on the defects and infirmities of some!* it would be an occasion to prevent that great benefit which this service, (as we intend to order it,) will undoubtedly effect to the king and kingdom."—STRAFFORD, II. 139.

† "To manifest his majesty's justice and honour, I thought fit to let them know," says the satrap, 'that it was his majesty's gracious pleasure, that *any man's counsel should be fully and willingly heard, in defence of their respective rights;*' being A FAVOUR NEVER BEFORE AFFORDED TO ANY UPON TAKING THESE KIND OF INQUISITIONS."—STRAFFORD, I. 442.

heard, by counsel, in defence of their respective rights!"* Tripoli, Algiers, and Morocco might be safely defied to produce a parallel.

Another most odious and inveterate feature of the system was developed on this occasion. It appears that hitherto no notice whatever had ever been given the parties to make any preparation to rebut the claims of the crown. They were always taken by surprise. Wentworth, as already stated, assumes great merit for having given the parties *twenty days' notice to make preparation to rebut claims running above four hundred years back!*†

The reader cannot be surprised that the jurors of Roscommon, under these circumstances, found for the crown. Nothing less could have been expected.

The example of Roscommon had a decided influence on the counties of Mayo and Sligo,‡ where the king's title was found without difficulty.

The county of Galway remained. The Earl of Clanrickard was the chief landed proprietor there. The gentry were powerful and resolute ; and, supported by the countenance of the earl, and relying on the justice of their cause, the jury refused to give a verdict for the crown. Wentworth fined the sheriff one thousand pounds, and summoned the jurors to the council chamber, where they were sentenced to the enormous fine of four thousand pounds each, and to be imprisoned till the fine was paid.§

* "They exhibited a petition signed by a great many of them, whereby they desired the finding might be deferred till a longer time, pretending they were unprovided. To this I replied, if it was so, it was their own fault, I having caused a scire facias to issue forth of the chancery *twenty days before!!!* which might publish the coming of the commissioners about this great work, in such a manner as every man might have timely notice, and be left without colour of excuse, or of being surprised: which *was more also than had formerly been accustomed in cases of this nature!* so as I desired their excuse in that I durst not forbear after so just and fair a proceeding on the king's part, *to put off the finding of his majesty's title.*"—STRAFFORD, I. 442.

† "The presence and interposition of a lord deputy, whose character and temper were fitted to operate on men's passions, had probably their full effect on this occasion. The king's title was found, without scruple or hesitation ; and the verdict attended with a petition for an equitable treatment of present proprietors, and a duo provision for the church."—LELAND, III. 37.

‡ "The next week we shall go on with the county of Sligo, and so in order with the rest, and shall, I trust, speed no worse with them than we have done here; howbeit there is much muttering, we shall meet with opposition in the county of Galway, and as if the earl of Clanricard, or at least his servants, were very averso from the plantation. Indeed, whether it be so or no, I know not ; but I could wish that county would stand out ; for, I am well assured, it shall turn to his majsty's advantage if they do. For certain it is a country which lies out at a corner by itself, and all the inhabitants wholly natives and papists, hardly an Englishman amongst them, whom they kept out with all the industry in the world ; and therefore *it would be of great security they were thoroughly lined with English indeed.*"—STRAFFORD, I. 444.

§ "We then bethought us of a course to vindicate his majesty's honour and justice, not only against the persons of the jurors, but also against the sheriff for returning so insufficient, indeed, as we conceived, a packed jury, to pass upon a business of so great weight and consequence; *and therefore we fined the sheriff in a thousand pounds to his majesty!! and bound over the jury to appear in the castle-chamber, where we conceive, it is fit that their pertinacious carriage be followed with all just severity.* And because we saw apparently, that there had been

Of all the various instances of the obliquity of Carte's history, there is none more extraordinary than the view he gives of this hideous affair. He not only absolutely defends the proceedings of Strafford; but unqualifiedly censures the jury, who, "on the evidence produced, ought to have found," he says, "as their neighbours had found!!!" Among his accusations of the jury, the first is, their grounding their refusal of finding a title to the province, on "THE PRETENCE that the subjection of the country under Henry II. was a submission, not a conquest."* In what a state of delirium must the mind of the man be, who could be so far lost to a sense of reason and justice, as to style this sound and irrefragable plea, "*a pretence*," or to countenance any claims resting on such untenable ground! That in a country, which for cen-

plotting and combining to stand against his majesty's title, insomuch as the viscount Clanmorris, nephew to our very good lord, the earl of St. Albans and Clanrickard, hath been heard to say in a vaunting manner, before the jury gave up their verdict, that they would have given a great sum of money, that we had begun here, that so by not finding the king's title here, the other counties might take example to do the like, we judged it needful instantly upon the place to publish a proclamation (a copy whereof we herewith send you) to the intent, if it might be, to break the combination; however to make all the natives of this county inexcusable, if they did not accept the grace thereby offered, and to open the passage of his majesty's justice more plain and honourable, by this means taking from them all the pretence they might make, that the fault was only the jury's, and so the punishment properly applicable to them, and not to the rest of the county, who might allege themselves to be altogether innocent therein."—STRAFFORD, I. 451.

* "The jury of the county of Galway was summoned to meet at Portumna, on Aug. 13, 1635, and consisted of the principal gentlemen of the county. The king's title to all the lands in it, except such as belonged to the church, or had been granted out by the patents of his predecessors, WAS PROVED BY THE CONQUEST OF KING HENRY II.!!! and the grant he made of it to Roderic, lord of Connaught; by the grant of Henry III. to Richard de Burgo, of twenty-five cantreds, out of thirty, whereof the whole consists, upon a rent of three hundred marks for the first five years, and of five hundred for ever afterwards; and by the payment of this rent into the exchequer, and the allowances thereof in the sheriff's accompt from time to time; *by the descent of king Edward IV. from Lionel, duke of Clarence, and the heiress of De Burgo!!!* and by the vesting of their lands in the crown, by the statute of 10 Henry VII. c. 15.!

"The jury, however, UPON PRETENCE THAT THE ACQUISITION OF HENRY II. WAS NOT A CONQUEST, but a submission of the inhabitants! that the grant to Roderick was barely a composition, whereby the king had only the dominion, but not the property of the lands, though the rent paid sufficiently proved the latter; that, in tracing the descent to Edward IV. proof had not been made of Lionel, duke of Clarence's possession; and that the statute of Henry VII. related to tenures rather than to lands, though *no man could be proved to have any land there in property at that time!* thought fit to find against the king's title, (though no grant was produced from the crown to any ancestor of the possessors, and WHERE NOBODY ELSE HAS A RIGHT, THE KING'S TITLE MUST BE GOOD;) and when called upon to declare in whom the freehold was vested, (if not in the crown,) they refused to do so. The lord deputy highly resented this proceeding; and, conceiving it would be of ill example to the rest of the kingdom, and would retard, if not defeat, the execution of his project, caused the jurors to be prosecuted, for a combination with the sheriff who empannelled them, to defeat the king of his right! They were tried on the 27th of May, 1636; FINED FOUR THOUSAND POUNDS A MAN; SENTENCED TO IMPRISONMENT TILL IT WAS PAID, AND TO AN ACKOWLEDGMENT, UPON THEIR KNEES, IN COURT AND AT THE ASSIZES, OF THEIR OFFENCE! in *refusing to find what they ought to have found, upon the evidence produced*, and which their neighbours had actually found upon the same."—CARTE, I. 82.

turies had been despoiled on pretexts as iniquitous, such claims should be advanced by a depredator of the character of Wentworth, is not wonderful; but that an historian, writing, a century afterwards, with all the facts before him, on which to form a correct estimate, should for a moment admit that the titles to estates, held in the same families for ages, should be affected by the question of the conquest or submission of the country in 1172, is inexpressibly astonishing. The invasion of Henry took place in that year; and the spoliation of Connaught was projected in 1636, that is, four hundred and sixty-four years afterwards. Of what consequence could it have been as to the titles of estates, what was the character of the proceedings of Henry,—whether he received a submission or made a conquest? Suppose a submission: does it thence follow that Charles I. had a right to an acre, or even a perch, of an estate that had descended from heir to heir, for the intermediate four centuries and a half? Suppose it invasion: does that enhance the strength of the claim? Had every man, woman, and child, in the whole nation been subdued by, and sworn allegiance to, Henry II. or, to give the argument its utmost force, Henry VII., could that warrant a jury in finding a title in the crown to the whole of the soil; or justify the imposition of a fine of four thousand pounds sterling on each of the jury, for not finding such title!!! Could any thing but the most rampant spirit of rapine ever lay a claim on such wretched ground, or any thing but insanity or obliquity of mind ever undertake the palliation of the vile deed?

Leland is not so culpable as Carte. Nevertheless he cannot be defended; for he narrates, without the slightest censure, this Connaught spoliation, unsupported by *letter-dropping*, conspiracy, rebellion, or any accusation of "*not building houses, or planting orchards.*"

Wentworth, bold, daring and desperate, was rejoiced at the rejection of the claim of the crown by the Galway jury. His grand object being plunder, and fearing no resistance, or determined to dragoon the estated gentlemen into submission, if they dared resist, he contemplated seizing on the whole of the estates of the jurors, and one half the rest of the entire province, being twice as much of the latter as he would have ventured to sequester, had a verdict been found for the crown.* The English ministry were afraid of a rebellion, and reluctant to counte-

* "There is now a fair opportunity put into his majesty's hands to lay a sure foundation for reducing and securing this county of Galway (of all the four by much the greatest) by *fully lining and planting it with English, which could not have been so thoroughly done, as for the publick safety is necessary, if the pretended owners of lands in this county have not a greater proportion taken from them than is appointed by the articles of plantation to be applied to his majesty's benefit in the other three counties!* And seeing by their own act they co-operate in it, whereby his majesty is justly provoked so to do, and thereby to put a difference between them who force him to undertake a suit at law for his own, and his other subjects who readily acknowledge his right, and who will think it hard that others, less conformable than they, should be put into an equal condition with them: we therefore have resolved that I, the deputy, shall forthwith give order to the king's learned counsel to put the king's title into a legal proceeding (if his majesty in his wisdom shall not find reason to direct the contrary,) which we conceive may be in a fair and orderly way by an exchequer proceeding *to seize for his majesty the land of the jurors, and of all that shall not lay hold on his majesty's grace offered them by the proclamation!!!*"—STRAFFORD, I. 453.

nance such barefaced depredation. He remonstrated with them, and went so far as to assign that danger as a reason to warrant the career he ran. "If they were so unsound and rotten at the heart" as to run into rebellion on account of being robbed of half their estates, "wisdom required so to weaken them" as to put it out of their power to rebel! Wonderful logic!*

It will excite the horror of the reader to learn that Wentworth actually levied above 40,000*l.* sterling on the sheriffs and jurors—equal to nearly a million of dollars at the present valuation of money!

Lord Clanrickard, having powerful friends at court, who successfully urged the flagrant injustice of the proceedings against him, he procured his pardon. This rendered Wentworth almost frantic, to find the prey snatched from his jaws, at the moment when he had regarded himself as secure of it beyond all possibility of escape. He uttered his complaints to the secretary of state in strong language expressive of the chagrin he experienced.†

It sheds strong light on the extent of the plunder of this modern Verres, when we consider the case of Earl Clanrickard, from whom, according to Strafford's own account, no less a sum than 30,000*l.* would have been extorted, had he not been pardoned. When such an enormous sum was to have been the fine of one individual, we may conceive how immense an amount was plundered from the inhabitants of an entire province! Are we to wonder, then, that Wentworth, who entered on his office with a moderate fortune, was enabled, in a very few years, during which he lived in an extravagant style, to give to a single son property worth, according to his own statement, 60,000*l.*

The nobility and gentry of Galway having sent agents to London to plead their cause, Wentworth urged Charles to send them to Ireland as prisoners, that he might proceed against them in the castle-chamber, and have them fined for daring to appeal to their king for justice and protection against the insatiable rapacity of his deputy.‡ He moreover

* "All the answer I can give is, that *if taking of an half move that country to enter into open rebellion, the taking of a third or a fourth methinks should hardly secure the crown of their allegiance!* Then be it granted that they are thus unsound and rotten at the heart, wisdom adviseth so to weaken them, and line them thoroughly with *English* and protestants as that they shall not, (by the help of God,) be able to disquiet any thing, if they would."—Strafford, II. 34.

† "In all former plantations the opposers *ever lost one third and sometimes half of their estates!!!* as now his majesty hath with great reason ordered for the tenants of the county of *Galway;* yet shall this earl not only lose nothing for his opposition, but be now put into far better condition than those that have done his majesty most effectual service, which will be no small discouragement upon them, and dull their cheerfulness in the future: And on the other side a great encouragement to others to oppose, considering that this earl, notwithstanding all his own and his father's opposition, hath now obtained a suit, (worth to himself,) to estimate it favourably, 30,000*l.* but of prejudice to his majesty in this and the subsequent plantations now on foot, a far greater value."—*Idem*, 368.

‡ "I find that nothing would give these commissioners so much satisfaction, and even in my own judgment so much enable us, and dispose all to a speedy and happy conclusion, as *to remit these agents of Galway in the condition of prisoners, and their propositions intirely to our consideration, and legal proceeding on this side!* which I am inclined unto the rather, for that I find in their propositions offered to you nothing of new, but such lean objections as have been buffeted at every enquiry for the title, and nothing left to hang upon them but skin and bone as they say; as also

wreaked his vengeance on the lawyers who had discharged their duty in defending the causes of their clients. He tendered them the oath of supremacy, which was a recantation of their religion, and silenced such of them as refused to take it.*

Such was the overwhelming power of Strafford—so deaf was the king to all the supplications for justice of the oppressed landholders of Connaught—so prostrate had they become, and so terrified lest, in struggling for justice and the preservation of their estates, they might be despoiled of the whole, that in 1636, they absolutely surrendered them into the hands of the king, thus throwing themselves on his mercy. They employed the Lord Clanrickard to mediate with Strafford. His lordship wrote an earnest and impressive letter† to the deputy, urging him to accept their submission. But obdurate and

because in truth I conceive this course of public agency is most indecent and uncomely, and which hath been in all times the occasion of mighty disservices to the crown there, and of excessive prejudice and disquiet to the subject and state here; and therefore to be taken up so by the roots, as never to bring forth those bitter fruits hereafter; which I am verily persuaded we shall effect, if it be committed to our care and examination, besides *the bringing in of round and considerable fines by censures in the castle-chamber, not alone upon the agents, but upon their other confederates, which are neither few nor of low condition I will awarrant you.*"—STRAFFORD, I. 493.

* "For those counsellors at law, who so laboured against the king's title, we conceive it is fit, that such of them as we shall find reason so to proceed withal, *be put to take the oath of supremacy, which if they refuse, that then they be silenced, and not admitted to practise as now they do;* it being unfit that they should take benefit by his majesty's graces, that take the boldness after such a manner to oppose his service."—*Idem*, 454.

† "Since the receipt of your lordship's letter of the second of September, his majesty declaring his pleasure to me, that he was not willing to accept of that surrender, whereof I sent your lordship a copy, I repaired home, and as I was preparing a despatch into Ireland to acquaint them therewith, and to return the authority sent unto me, I received a confirmation of the said letter of attorney, *signed by a hundred and seventy-five persons of the best quality of the county*, and had a sight of a petition from the jury directed to your lordship; and entering into the consideration of the weight and consequence of this affair acted by so many, I conceived I could no ways discharge my duty better to his majesty, nor more fully express my respects to your lordship, than to detain that intended despatch in my hands until I had given your lordship a full and clear account of their proceedings.

"And I leave it to your lordship's better judgment to consider whether this free and voluntary surrender by the body of the whole county doth not as highly import the service, as to have it found by a jury, when perhaps many, as deeply interested as they, may rest unsatisfied, and of a different opinion. It is their desire and my intention, that my employment herein may be guided by your lordship's advice and direction. And as you have proceeded with great zeal and labour in the service of his majesty, so, under favour, I conceive there is now a good occasion offered your lordship, to perfect that work; and withal to gain thanks from many persons in fear and trouble, by mediating to his majesty to accept of this their free and unanimous resignation of their estates without farther dispute! and your lordship and the state to receive the jury's humble acknowledgment of your justice and their error of judgment, the rather in regard they have laboured to redeem their first offence, by persuading the rest of the county to this general surrender. And certainly so many persons of their quality *will never acknowledge a wilful opposition or perjury!* though there were apparent motives to ground a judgment thereupon."—STRAFFORD, II. 35.

CLANRICKARD.

Sept. 27, 1636.

deaf to all the calls of humanity as well as justice, he insisted that *the jurors should acknowledge they had given a false verdict!!! and thus record themselves guilty of perjury!!!* The bare narration of such complicated scenes of fraud, oppression, and cruelty, harrows up the soul, and excites detestation and abhorrence of the king, the deputy, and all the subordinate agents of tyranny and depredation.

The fears of the English government of exciting a rebellion having subsided, they cheerfully entered into Strafford's views, and encouraged him to proceed with his depredation. Charles who, as already stated, had received from his subjects 270,000*l.* for the renunciation of his claims to those lands, and for other considerations, was dishonourable and perfidious enough to become *particeps criminis* with this wholesale plunderer, and share the spoils. A letter, from secretary Coke to Strafford, dated Sept. 30, 1635, expresses his approbation of the course he had pursued :—

"That a greater proportion of land should be taken from *the pretended owners in the county of Galway*, than in the rest, is thought just and reasonable, for the reasons you allege. And your resolution to put the king's title to a legal trial, is very well approved, with *such seizures as you intend both against the jurors and against all others that will not lay hold of the grace offered them by the proclamation.*"—Strafford, I. 465.

The jurors, imprisoned in Aug. 1635, and still in confinement, petitioned the king in July, 1636, for a release, but were rejected, and referred to Strafford.* .

The deputy began to be fearful of resistance, and demanded a considerable force of horse to protect the new settlers in their spoliation of the natives :—

"It will be necessary that some *considerable strength of horse may stand and look on as an excellent assistant to countenance the plantation, to incourage the English, and for their better defence upon their first coming.*"—Idem, 454.

It is scarcely credible, but it is nevertheless true, that after all these violations of right and justice, these barefaced depredations on property, Strafford had the effrontery to endeavour to cajole the Irish Roman Catholics into an opinion that they were indebted to the king for indulgence and great favours!!† Impudence could scarcely go farther.

* "The jurymen fined in the castle-chamber have by the earl of St Albans petitioned his majesty, but are absolutely referred back to the justice of Ireland."—Strafford, II. 14.

† "When I understood by the relation of sir Tobie Matthews with how much and many untruths some of the Irishry endeavoured to shadow over to your sight *those indulgent lights and graces which his majesty vouchsafed to shed forth to all his people!!! and in particular to those of the Roman Catholic religion here!!!!* I confess it was my gladness to hear it, seeing I might thence justly and naturally vindicate and represent the piety! honour! and integrity! of my master's proceedings to your knowledge."—*Idem*, 112.

CHAPTER XVII.

Administration of Lord Strafford generally. Cruel treatment of the Scotch in Ireland. Enormous fines. Strafford's ecclesiastical despotism. Case of Lord Mountnorris. Obduracy of Lord Strafford. Case of Lord Loftus.

"Proud, impatient
Of aught superior, ev'n of heav'n that made him,
Fond of false glory—of the savage power
Of ruling without reason—of confounding
Just and unjust by an unbounded will.
By whom religion, honour, all the bands
That ought to hold the jarring world in peace,
Were held as tricks of state."—Rowe.

It would be a defect in this portion of the work, if I did not give a sketch of the administration of Lord Strafford on other points, besides his flagitious and piratical proceedings in Connaught, in order more fully to display the tyranny exercised in Ireland, from which even the highest of the nobility were not exempt.

The family of Lord Strafford have done his lordship's memory a most irreparable injury, by the publication of his letters, which afford such a mass of evidence of his rapacity, rancour, utter disregard of the ties of honour and justice, inhumanity, hypocrisy, and Machiavelism, as has rarely been bequeathed to posterity.

Few men have performed a distinguished part in society, whose history is so contradictorily narrated. A correct history of him is still a desideratum. Clarendon, Nalson, Carte, Hume, and all the long train of monarchial writers, whine and lament over his grave, as if he had been a mirror of virtue,—a Phocion, an Aristides, a Socrates, a De Witt, or a Washington, and had been offered up, an immaculate victim to popular rage. But those who take a correct view of his career, must acknowledge that he was a bloated mass of almost every species of vice and crime of which a public officer is capable.

Candour, however, calls for the acknowledgment that the proceeding against him in the trial of the impeachment, were in many respects informal and irregular; and that he was offered up by the republican party in the Long Parliament, full as much to appease their resentment at his apostacy from their cause, and to allay their fears of his talents and influence, as for his crimes, atrocious as were those crimes. But, whatever may have been the informality of the course pursued, few public functionaries have ever been brought to the block, whose fate was more completely sanctioned by the claims of substantial justice. No man ever had much less reason to complain of informality: for whoever compares the proceedings on his trial, with those on the trial of Lord Mountnorris,* will be satisfied that there was as much difference between

* Postea, p. 181.

them, as between the tribunal of Herod, and that of Trajan, or Antoninus. The proceedings of the court held on Lord Mountnorris were of the most murderous character.

Treatment of the Scotch in Ireland.

When the Scotch, in 1639, took up arms to resist the wicked attempt of Charles I. to impose on them episcopacy, with the rites, ceremonies, and service of the Church of England, the king was apprehensive that they might derive aid from their numerous countrymen in Ireland. To prevent this untoward event, he wrote to Strafford to secure their fidelity by oath. The deputy, in compliance with this order, framed an oath not merely of allegiance, which they would have cheerfully taken, but a renunciation of the covenant.

The Scotch were generally rigid Puritans. They almost universally reprobated the Church of England nearly as much as that of Rome. A great majority of them had subscribed the covenant, whereby they renounced as equally sinful, "popery, prelacy, superstition," &c. Most of them therefore could not take Strafford's oath without perjury. The attempt to enforce it was attended with the most revolting cruelty and oppression. Twenty and thirty persons were arrested under one warrant, and beaten and abused by the soldiers employed to transport them to the magistrates.* Enormous fines and rigorous imprisonment were most unmercifully inflicted on the recusants. Every cruelty that could be perpetrated short of capital punishments, was tried to accomplish the object so much at heart with the king and his deputy. The success did not correspond with the violence employed. Few took the oath. Thousands fled from their homes into Scotland, or lurked in the wild parts of Ireland.†

Among the most striking cases of ruinous fines were those of a Mr. Stuart and his family, who were all convened before the castle chamber. He and his wife were each fined 5000*l.* and each of his two daughters 3000*l.*‡ amounting to 16,000*l.* equal at the present value of money, to

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* "Sir James Montgomery," on the trial of the impeachment of Lord Strafford, "deposed that the warrant was executed with great cruelty, 20, 30, names in a warrant, the *officers beating, wounding, and imprisoning them.*"—Nalson, II. 64.

† "Men, women, and all other persons above the years of sixteen, constrained either presently to take the oath, and thereby renounce their national covenant, as seditious and traitorous, or *with violence and cruelty to be haled to the jail, fined above the value of their estates, and to be kept close prisoners!* and so far as we know, some are yet kept in prison, both men and women of good quality, for not renouncing that oath which they had taken 40 years since, in the obedience to the king, who then lived. Besides, a cruelty ensued, which may parallel the persecutions of the most unchristian time: for *weak women dragged to the bench to take the oath, died in the place, both mother and child!* hundreds driven to hide themselves, till in the darkness of the night they might escape by sea into Scotland, whither thousands of them did fly, being *forced to leave corn, cattle, houses, and all they possessed to be a prey to their persecuting enemies,* the lieutenant's officers! And some indicted and declared guilty of high treason, for no other guiltiness but for subscribing our national oath!"—Rushworth, VIII. 771.

‡ "Richard Salmon deposed, that at the proceedings against Mr. Stuart, he being willing to take the first part of the oath as to allegiance and supremacy, but the latter part as to ecclesiastical duties he durst not. My lord told him they had other oaths for that: but this was for both; and those who were obedient to ecclesiastical orders, he would lay his hands under their feet to do them good; but whosoever

the enormous sum of about 400,000 dollars! A Mr. Gray was sentenced at the same time, to pay a fine of 3000*l.*

Strafford had the temerity or rather the effrontery and impudence at his trial, to assert that those fines were no more than the heinousness of the offence deserved,* and that his purpose was, "*fairly without any restraint, or violence* offered, to endeavour by such manner of means as this, to secure the king of the loyalty and allegiance of his subjects."—Rushworth, VIII. 503.

It is very true that these fines were imposed in the castle chamber. But the members were mere puppets in the hands of the deputy, by whom they were ordered and directed as arbitrarily as a band of Janizaries by a vizier. He could not keep himself within the bounds of decency, when pronouncing sentence—but inveighed against the parties with the utmost violence and virulence, declaring that "he wanted terms to set forth the heinousness of this cause; and that he was to leave his sword ;† but, if it pleased his majesty to return him thither again, he hoped to have *such as would not conform themselves to the discipline of the church, rooted up stock and branch!*"—Idem, 498.

Ecclesiastical despotism of Strafford.

A convocation of the protestant clergy of Ireland, was held in Dublin during Strafford's administration, on the subject of framing a liturgy for the church of that kingdom. They met in two distinct bodies, the bishops in the upper house and the remainder of the clergy in the lower. The members of the latter were inclined to puritanism, as were many of the upper, among the rest, the primate, Usher. A committee was appointed in the lower house, to consider and report on the English canons. This committee had made considerable progress in the duty they had undertaken, and were about to suggest various alterations in the canons submitted to them, when the deputy was informed of the course which the affair had taken. He was very wroth, and sent for Dr. Andrews, the chairman of the committee, ordering him to bring the book of canons, with its marginal notes, and the report which he was to present that evening.‡ When he saw it, he was in an ex-

would resist, *he would prosecute to the blood!* that my lord said further, they had made him forget himself by putting him into some passion; that *they were traitors and rebels!* and that if his majesty would honour him so much as to send him back again, *he would eradicate root and branch of all that nation out of the kingdom of Ireland*, saving the lords and others that had taken the oath! That Mr. Stuart was fined 5000*l.* his wife 5000*l.* his two daughters 3000*l.* a piece, and James Gray 3000*l.*" —Nalson, II. 78.

* "As to the greatness of the fine imposed upon Stuart and others, he conceived it was *not more than the heinousness of their offence deserved!!!!* yet had they petitioned, and submitted the next day, that would wholly have been remitted."—Frankland, 888.

† This declaration was made when he was about to quit the administration, and return to England.

‡ "I found that the lower house of convocation had appointed a select committee to consider the canons of the Church of England; that they did proceed in the examination without conferring at all with their bishops; that they had gone thorough the book of canons, and noted in the margin such as they allowed with an A. and on others they had entered a D. which stood for deliberandum; that into the fifth

treme passion; reproached the dean with great severity; told him that it was an Ananias that had presided over their proceedings—directed him to leave the draught of the report with him, and commanded him, on his allegiance, not to proceed further in the business till he heard from him. Having examined the draught, he sent for the bishops; reproved them severely; and peremptorily forbad them to admit of any discussion, and ordered that no question should be taken but on allowing the articles of the Church of England in toto, yea or nay. He desired the primate to frame a canon to this effect, and send it to him for examination. Disapproving it, he drew up one after his own fancy, in which "excommunication is denounced against all those who should affirm that the articles of the Church of England were such as they could not subscribe unto." To this the primate objected, telling him that he was apprehensive it would not be ratified. This opinion was predicated on the well-known fact, that several of the members of both houses, particularly the lower, had concurred in the necessity of making alterations in the English canons. The deputy was inflexible. His "high behests" were supreme law! They did not dare, except one individual, to gainsay his orders. The question was put as he directed, and was carried unanimously in both houses, very much to the mortification of many of the members! Thus by one arbitrary individual was the faith and religious discipline of a nation decided for nearly two centuries past, and probably for many centuries to come!!!

Strafford was desirous of being revenged on Dr. Andrews for the

article they *had brought the articles of Ireland to be allowed and received under the pain of excommunication;* and that they had drawn up their canons into a body, and were ready that afternoon to make report in the convocation.

"I instantly sent for dean Andrews, that reverend clerk, who sat, forsooth, in the chair at this committee, requiring him to bring along the foresaid book of canons, so noted on the margin, together with the draught he was to present that afternoon to the house: this he obeyed.

"But when I came to open the book, and run over their deliberandums in the margin, I confess I was not so much moved since I came into Ireland. I told him certainly not a dean of Limerick, but an Ananias had sate in the chair of that committee; however sure I was, Ananias had been there in spirit, if not in body, with all the fraternities and conventicles of Amsterdam! that I was ashamed and scandalized with it above measure. I therefore said he should leave the book and draught with me, and that *I did command him upon his allegiance he should report nothing to the house from that committee till he heard again from me!!*

"Being thus nettled, I gave present direction for a meeting, and warned the primate, the bishops of Meath, Kilmore, Rapho, and Derry, together with dean Leisley, the prolocutor, and all those who had been of the committee, to be with me the next morning.

"Then I publickly told them how unlike clergymen, that owed canonical obedience to their superiors, they had proceeded in their committee; *how unheard a part it was for a few petty clerks to presume to make articles of faith!* without the privity or consent of state or bishop; what a spirit of Brownism and contradiction I observed in their deliberandums, as if indeed they purposed at once to take away all government and order forth of the church; and leave every man to chuse his own high place, where liked him best.

"But these heady and arrogant courses they must know I was not to indure, nor if they were disposed to be frantic in this dead and cold season of the year, *would I suffer them either to be mad in the convocation or in their pulpits.*"—STRAFFORD, I. 343.

course he had steered in the convocation—and advised his promotion to the bishopric of Loughlin and Ferns, the income of which was quite shabby and contemptible—"It was," to use his own words, "so saddle-girt and spur-galled, as, if the devil himself were the rider, he could not make well worse of it than it is already."* With this recommendation, archbishop Laud complied.

Case of Lord Mountnorris.

The case of Lord Mountnorris next demands attention. The proceedings on the trial of this nobleman were so extraordinary—the result so wholly unjustifiable—and the punishment awarded so utterly beyond the offence, that if it were not recorded with the signatures of the members of the council, it would be disbelieved and regarded as a libel.

Lord Mountnorris, occupying the high stations of vice-treasurer and receiver-general of Ireland, one of the principal secretaries of state and keeper of the privy seal, had attracted the wrath of Strafford, by interfering in defence of some of the victims of his tyranny. At a review after this event, a relation of his, for some impropriety of conduct, was rebuked by the deputy, who believing, or pretending, that he sneered at the rebuke, struck him with a cane; or, according to the statement in the sentence of the council, simply laid his cane on his shoulder. It must be observed, that it is utterly improbable that a man of Strafford's imperious disposition and violent temper, would be satisfied with barely laying a cane on the shoulders of a person against whom he had taken offence—and it is not unfair to conclude that he disgraced him by a stroke. This, however, is unimportant as to the ultimate result. Some time afterwards this relation, who was then in attendance on Strafford, hurt with a stool or stick the foot of the deputy, who was afflicted with the gout. The circumstance being told to lord Mountnorris in a large company, he unfortunately observed—"Perhaps it was done to revenge the affront offered to him—but he has a brother who would not take such revenge." "The very head and front of his offending, had this extent, and no more." It is hardly credible, but is nevertheless true, that for these expressions, which Malice herself could scarcely torture into any thing approaching to criminality, Strafford had the nobleman tried by a court martial,† and

† "Before this council I charged the lord Mountnorris with his speeches concerning me, which his majesty, I humbly thank him, had given me a warrant to do. In short, the words were fully proved, and attested in his presence by the lord Moore and sir Robert Loftus, and, if there were need, will be, I am sure, by a dozen persons more, so publicly was he pleased to traduce me, and fondly to endanger himself. After a full and clear hearing of all he could say in his own justification, they proceeded to sentence him upon the thirteenth and one and fortieth articles of the public orders in print for the good government or ordering the army. And so have adjudged him *to be imprisoned, disarmed, and to be cashiered and banished forth of this army, as having offended against the one and fortieth article, and further adjudged him to die! as having offended against the thirteenth article!!!!* But myself and all the captains will become most humble suitors to his majesty to pardon him the punishment of death, which *in strictness might be justly inflicted upon*

* Strafford, I. 380.

without allowing him time to prepare for his trial—to have the charge in writing—or to be heard by counsel—or to produce any witnesses to re-

him! And till we receive his majesty's further pleasure therein, he is *to remain here a prisoner in the castle under the custody of the constable.*"—STRAFFORD, I. 498.

Extracts from the judgment of the court martial held on Lord Mountnorris, Dec. 12, 1635.

"We the lord deputy called a council of war, who being this day assembled, we the lord deputy in the presence of the said lord Mountnorris did charge him this offence, that within three or four days or thereabouts, after the end of the parliament, it being mentioned at the lord chancellor's table, that after we the lord deputy had dissolved the parliament, being sitting down in the presence chamber, one of our servants in moving a stool happened to hurt our foot then indisposed through an accession of the gout; that one, then present at the lord chancellor's table, then said to the lord Mountnorris, being there likewise, that it was Annesley, his lordship's kinsman, and one of the lord deputy and general's gentlemen ushers, that had done it. Whereupon the lord Mountnorris then publickly and in scornful, contemptuous manner, answered, '*Perhaps it was done in revenge of that public affront which my lord deputy had done him formerly; but he has a brother that would not take such a revenge.*' Which charge being so laid, the lord Mountnorris was required by this council of war to make answer thereunto. Who going about to answer it, and yet neither confessing nor denying them, this council, after some time spent therein, required him to answer the said charge either negatively or affirmatively, yet would not confess or deny them. Whereupon the witnesses vouched for proof thereof were called.

"The charge laid against him standing then fully proved, the said lord Mountnorris at last submitted himself to the judgment of this council, protesting that what interpretation soever his words might have put upon them, he intended no prejudice or hurt to the person of us the deputy and general; affirming, that by these words 'but he hath a brother that would not take such a revenge,' his lordship meant only, that he, the said brother, would die before he would give us the deputy and general occasion to give him such a rebuke.

"We fell in the next place to consider, as of the nature of the offence, so of the punishment due thereunto. And first for the nature of the offence, we conceive it to contain, first, a calumny against the person of us the deputy and general of the army, insinuating by these words, '*the public affront or the disgrace which my lord deputy had done him formerly,*' that indeed there had been such an affront or disgrace put upon him by us the lord deputy. Whereas in truth it was nothing so; but that which was pretended by the lord Mountnorris to have been the said disgrace or affront to his kinsman, was this; that his said kinsman, being one of the horse troop commanded by us the lord deputy, in the time of exercising the said troop was out of order on horseback, to the disturbance of the rest then in exercising; for which we the lord deputy *in a mild manner* reproving him! as soon as we turned aside from him, we observed him to laugh and jeer us for our just reproof of him, which we disliking, returned to him, and *laying a small cane, which we then carried, on his shoulder, yet without any blow or stroke then given him therewith!!* told him, that if he did serve us so any more, we would lay him over the pate: the truth of which fact appeared unto us by the relation of his majesty's said deputy and general, avowed and confirmed by two of us the captains, namely, the lord Kirkudbright, and sir Frederick Hamilton, knt. who then saw the manner of it; and now sat as members of this council. Which said act was by this whole council adjudged to have been a far milder proceeding with the said Annesley, than such an insolence and disobedience to any commander, much more to his general, merited. And therefore it was a speech favouring doubtless of malice, to insinuate that as an affront or disgrace, which was, indeed, a justly merited, but *mild and modest reprehension and admonition!!*

"*Secondly, We conceive the offence to contain an incitement to a revenge,* in these words, 'but he has a brother that would not take such a revenge.' Which

but the charge*—found guilty of disrespect to his superior officer and of exciting to mutiny—and sentenced to be cashiered—and shot to death!! This Draconian sentence, actually signed by all the mem-

incitement might have given encouragement to that brother, being then and now in this kingdom, and lieutenant of the said lord Mountnorris's foot company, to the said Annesley himself, being continually so near the person of us the deputy and general, or to some other, to have taken up resolutions of dangerous consequences.

"For the punishment due to his offence, we judge it to be an apparent breach and contempt of the 41st article of the printed laws and orders of war, established for the good conduct of the service of Ireland, dated the 13th of March, 1633, and published in print by us the lord deputy, soon after our access to this government, in these words of the said article, 'no man shall give any disgraceful words, or commit any act to the disgrace of any person in his army or garrison, or any part thereof; upon pain of imprisonment, public disarming, and banishment from the army, as men for ever disabled to carry arms.' And which is more, in like breach and contempt of the 13th article of the said printed laws and orders of war, the words of which article are these: '*No man shall offer any violence, or contemptuously disobey his commander, or do any act or speak any words which are like to breed any mutiny in the army or garrison, or impeach the obeying of the general or principal officer's directions, upon pain of death.*' Which articles are no other than the very same articles this army had always been governed by in the time of the late lord Faulkland, lord Wilmot, and other the generals before them. And therefore this council of war, in conformity to his majesty's gracious pleasure signified as aforesaid, and as well to vindicate the honour of us his majesty's deputy and general of his army from the wrong and contempt under which we now suffer! to the scandal of this government, and to the ill example of others; as also to deliver over to all which bear office, or are listed as members of the army under the rule and government of us his general, an example of justice, for them to take warning by, how they presume to offend against the authority intrusted with us by his majesty, do adjudge hereby, order and decree, that the said lord Mountnorris stands justly and deservedly liable to undergo the censures, pains and punishment by the said 41st and 13th articles, provided against the breakers of all good discipline, and the transgressors against those orders, which are by the said 41st article, imprisonment, public disarming, and banishment from the army, as a man for ever disabled to carry arms; and by the said 13th article, death!!! And therefore according to the said articles, this council do unanimously with one joint consent (not one of us being of other opinion) adjudge the said lord Mountnorris for his said high and great offences, to be imprisoned; *to stand from henceforth deprived of all the places with the entertainments due thereunto, which he holds now in the army! to be disarmed! to be banished the army! and disabled forever bearing office therein hereafter! and lastly to be shot to death! or to lose his head! at the pleasure of the general!!!!* Given at his majesty's castle of Dublin the twelfth day of December, 1635.

"Valentia, Tho. Cromwell, R. Ranelagh, R. Dillon, Law, Esmond, Kirkudbright, Jo. Borlasse, Cha. Coote, Tho. Weinman, Arth. Terringham, Art. Blundell, Faith. Fortesque, Robert Farrer, Tho. Roper."—Strafford, I. 499.

* "My lord Mountnorris *desired time to answer by counsel; and that he might have his charge in writing.* That being not readily granted, he insisted on it, that *he might have time to prepare his answer! but was told, it was contrary to the form of that proceeding!!!*"—Rushworth, VIII. 194.

"I humbly told his lordship, and made solemn protestation, and offered to take my oath, that I did never speak the words, as I was able to prove by several witnesses; and desired that the lord chancellor, (at whose table they were spoken,) and judge martial of the kingdom, then in town, might be summoned to give his testimony for truth, and Sir Adam Loftus his son, and near twenty others; and *desired they might be examined in the cause;* and that I was well able to prove that the words charged to be spoken by me, *were not spoken by me, but by others,* as to that part that concerns the affront: but *his lordship refused me to have any examined!*"—Idem, 190.

bers, among whom were some of the highest nobility, shows how overwhelming was the power of the deputy in the council. Strafford was a member, and said he would not choose to be deprived of the honour of voting for the sentence.*

Charles was determined to support the deputy in all his measures, however arbitrary or unjust. The sentence against lord Mountnorris was so transcendently wicked, that it excited a great sensation in England, where it was almost universally reprobated†—but the king's opinion in favour of it being announced, the clamour subsided.‡

The capital part of the sentence was not, nor probably intended to be, carried into execution—but Mountnorris was committed to prison on the 12th of December, 1635,§ and not finally released till March, 1637!!!!—being, however, in the mean while, twice let out on bail in consequence of the deposition of his physician, that he was in danger of his life. Wentworth was determined not to release him without an acknowledgment of the justice of the sentence!!! which Mountnorris refused to make.‖ Whether he was obliged ultimately to submit, there are no means of ascertaining.

Lady Mountnorris *on her knees* presented a most affecting petition for his pardon and release to the deputy; but he was inexorable.¶ She

* "The earl of Cork deposed, that when the sentence was read in the state-chamber, my lord deputy said he *would not lose his share in the honour of it;* Lord Dillon testified the same, and that my lord said *it was a noble and just sentence!!!!*"—Nalson, II. 59.

† They "wonder that a peer of the kingdom, a privy counsellor, a treasurer at war, though a captain, should be tried in a marshal's court for *words spoken six months before, no enemy in the country*, nor the lord deputy in any danger of his life by those words!"—Strafford, I. 508.

"They conclude that it cannot be paralleled in any time, *consideratis considerandis*, that any man for the like words, no enemy in the country, so long time after, *should be adjudged to die!*"—Idem, 510.

‡ A letter from the secretary Coke states, "To the sentence given against the lord Mountnorris by the council of war, no exception is taken; and his majesty avowing the direction of that way of proceeding, hath calmed and silenced all those spirits that began to make a noise!!!!"—*Idem*, 512.

§ "I was first committed the 12th of December; let go the 18th to my house; committed again the 11th of April, put out the second of May: I was then in great extremity, and admitted to my house again: where I lay in a long continuing sickness, and under the hands of physicians. And the 30th of January afterwards, because I sued not out the pardon, was imprisoned again, and there continued till March, 1637."—Rushworth, VIII. 191.

‖ "The manager said, the greatest tyranny was the Earl of Strafford's keeping him in prison till he should confess the sentence just, which in his heart *he abhorred and held unjust.*"—Nelson, II. 62.

¶ *The lady Mountnorris to the lord Strafford.*

"My lord,

"I beseech your lordship, *for the tender mercy of God*, take off your heavy hand from my dear lord; and for her sake who is with God, be pleased not to make me and my poor infants miserable, as we must of necessity be, by the hurt you do to him. God knows, my lord, that I am a poor distressed woman, and know not what to say, more than to beg upon my knees, with my homely prayers and tears, that it will please the Almighty to incline your lordship's heart to mildness towards him; for if your lordship continue my lord in restraint, and lay disgraces upon him, I have too much cause to fear that your lordship will bring a speedy end to his life and troubles, and make me and all mine forever miserable. Good my lord, pardon these woful lines of a disconsolate creature, and be pleased, for Christ Jesus' sake, to take

addressed a similar petition to the king, who, resolved not to impair the authority of his most arbitrary, and unfeeling, and rancorous vicegerent, refused to interfere, and left his deliverance to depend on his making such submission as should satisfy Wentworth!

Strafford's malice and vengeance were not satisfied with the sufferings thus inflicted on the victim of his hatred! He had him afterwards cited into the star-chamber court in England,* for what offence I know not, nor am I able to state the result. But the well-known despotism of that court, and the all-powerful influence of Strafford, render it highly probable that he was enormously fined.

It is scarcely possible to add a shade to the atrocity of this affair. But it is aggravated by the circumstances, that Mountnorris was probably between 60 and 70 years of age—that he had faithfully served the king and his father for forty years—that he had twelve children—and was completely ruined by the persecution.

Lord Strafford avowed, after the trial was over, and Lord Mountnorris was released, that his sole object had been to remove him from the country?!!!!† This completely capped the climax.

Case of Adam Loftus, Lord Ely.

This nobleman was chancellor of Ireland, and a member of the privy council. He had been earnestly recommended by Lord Strafford himself, in 1635, as one of the most suitable persons for the office of chan-

this my humble suit into your favourable consideration, and to have mercy upon me and mine; and God will, I hope, reward it into the bosom of you, and your sweet children by my kinswoman; and for the memory of her, I beseech your lordship to compassionate the distressed condition of me,

Your lordship's most humble and disconsolate servant,

JANE MOUNTNORRIS.

This 13th of February, 1635–6.

Endorsed, "A copy of the Lady Mountnorris's letter to the earl of Strafford, when her husband was in prison, under the sentence of death by martial law; and he was so hard-hearted as he gave her no relief."—Clarendon's S. P., I. 449.

Extract from lady Mountnorris's petition to the king. "Her husband hath suffered in honour, health and imprisonment, for a word misinterpreted, already unto twenty thousand pounds loss in estate, unparalleled precedents for a peer of that realm; and still pursued in the castle chamber, in Ireland, where he can expect but sad events, if your majesty's impartial justice redeem him not. He hath been a careful and faithful servant in chief place to your majesty's blessed father, *for forty years*; and if he hath erred through human defects, he most humbly craveth pardon, and layeth himself at your majesty's feet, to do with him whatsoever your majesty shall command. Her humble suit on her knees, is no more, but that your sacred majesty will command his coming into England, being now useless here; his place is taken from him; his health impaired; and his estate ruined; and she and *her twelve children* shall, as in duty bound, pray for your majesty's long and happy reign over us."

* "I hear that the lord Mountnorris kissed the king's hand at Greenwich; that he is much altered, and of a most dejected spirit; that *he hath put in his answer to the bill in the star-chamber, which your lordship hath put in against him* and sir Piers Crosby; but I have not seen the man."—Strafford, II. 86.

† "At my lord Mountnorris his departure hence, he seemed wondrously humbled, as much as Chaucer's friar, that would not for him any thing should be dead; so I told him *I never wished ill to his estate, nor person, further than to remove him hence, where he* was as well a trouble as an offence unto me!!!!!—Idem, 145.

cellor.* But a circumstance occurred which excited the vengeance of the deputy against him, who pursued him with the utmost virulence.

Strafford had seduced this lord's daughter. The criminal correspondence was established by his letters, found in her drawers after her death. Her husband, Sir John Gifford, required from his father-in-law a greater portion than he thought proper to bestow upon his strumpet daughter, the deputy's mistress. Gifford, by a paper petition, brought the affair before the privy council, which issued a decree in his favour. The chancellor, relying on its illegality, refused compliance; and, in punishment of his contumacy, *was sequestered from his seat in the privy council!* deprived of the seal as chancellor! *and committed to prison!* Notwithstanding the high commendations previously bestowed on him by the deputy, a variety of charges of malversation in office were now adduced against him, to answer the purposes of the moment. He appealed to Charles for redress against such flagitious oppression: but the despotic monarch, determined to support his implacable vicegerent, rejected the petition: and the chancellor was reduced to the humiliating neeessity of deprecating the vengeance of the insolent satrap, by an acknowledgment of offence and a supplication for pardon! †

During Strafford's whole administration, acts of state, or, in other words, acts of the privy council, had all the force of the laws of the land! and were enforced by arrest, fine, and imprisonment! ‡

Jurors who refused to give verdicts agreeably to the wishes of the judges and the government, were cited before the star-chamber court, and ruinously fined, and most grievously imprisoned. §

* "It much concerns his service that a man able and well affected exercise that place; craving the boldness to recommend sir Adam Loftus to his majesty's remembrance, a person only known to me, *by his own virtue and chearfulness* in his majesty's affairs. And to deliver my poor judgment, I *see no man on this side that can weigh against him*, having equal sufficiency with the ablest amongst them, and more generosity than they all."—*Idem*, I. 306.

"Only for his majesty's more full information I shall crave leave in some particulars to offer my humble advice. I judge his majesty will be much better served in sir Adam Loftus than in his lordship; for sure he is a gentleman of far greater abilities, and much better governed; besides one that I am confident would be much more pleasing to the rest of his majesty's ministers here, than his lordship."—Strafford, I. 403.

† "Loftus found it necessary to purchase his liberty and his former station, by an humble petition to the deputy and council, by which he acknowledged his offence in the most mortifying terms of submisaion and repentance!!"—Leland, III. 46.

‡ *Extract from the Impeachment of Lord Strafford.*

"Article 4. The said earl of Strafford said that he would make the earl [of Cork] and all Ireland know, so long as he had the government there, *any act of state, there made or to be made, should be as binding to the subjects of that kingdom, as an act of parliament.*"—Baker, 499.

"As for the words, he confessed them to be true; and thought he said no more than what became him; considering how much his master's honour was concerned in him; and that if a proportionable obedience was not *as well due to acts of state, as to acts of parliament*, in vain did councils sit!!! and that he had done no more than what former deputies had done."—*Idem*, 507.

"He proved by the lord Dillon, in the lord Chichester's and lord Grandison's time, that the acts of state were by the judges reputed as laws of the land for the present, and proceeded by *arrest, imprisonment*, and *fines*, upon contempt; which sir Adam Loftus confirmed."—Nalson, II. 58.

§ "Concerning the sentencing of jurors, and the questioning them in the star-

Strafford uniformly proceeded on the iniquitous principle, "that Ireland was a conquered country, and that the king was the lawgiver, in all matters not determined by acts of parliament."* This principle he openly avowed on his trial, when his life was in jeopardy, for this and other causes: and this fully accounts for the despotic authority he assumed,—for his outrageous proceedings with parliament,—for the insatiable rapacity of his depredations in Connaught—and for all the endless variety of injustice and oppression, which marked his despotic career, as lord deputy of Ireland.

One odious feature of his administration, which he likewise admitted on his trial, and for which he pleaded precedent as a justification, was sending parties of soldiers to execute orders of state, or decrees of courts.† It is easy to conceive the oppression that would be committed by such *officers of justice*, let loose on the objects of his vengeance! On the extent of this grievance, the evidence of Sir Arthur Tyringham, who was cited in Strafford's defence, throws great light. He deposed, that "In Faulkland's time, he knew *twenty soldiers assessed upon one man, for refusiug to pay sixteen shillings sterling !!!!!*"—Baker, 511.

Lord Strafford, when answering to the article of his impeachment on the subject of martial law, replied, "It has been always in force, and executed in all times in Ireland, and never so sparingly as in my time."‡ Persons going up and down the country, *who could not give*

chamber," said Lord Strafford, on his trial, "it is true; *divers of these sentences were past.*"—Nalson, II. 45.

* Article 3, of the Impeachment.

"He did declare and publish, that *Ireland was a conquered nation; and that the king might do with them what he pleased.*"—Baker, 499.

"'True it is,' he said, 'Ireland was a conquered nation; which no man can deny: and that *the king is the lawgiver, in matters not determined by acts of parliament*, he conceived all loyal subjects would grant.'"—Frankland, 883.

† "Article 15. That the said earl did, by his own authority, without any warrant or colour of law, tax and impose great sums of money upon the towns of Baltimore, Bandonbridge, Tallagh, and divers other towns or places, in the realm of Ireland; *and did cause the same to be levied upon the inhabitants of those towns by troops of soldiers, with force and arms*, in a warlike manner: and, on the ninth of March, in the twelfth year of his now majesty's reign, traitorously did give authority unto Robert Saville, a sergeant-at-arms, and to the captains of companies of soldiers in several parts of the realm, to send such numbers of soldiers *to lie on the lands and houses of such as would not conform to his orders!* until they should render obedience to his said orders and warrants; and after such submission, and not before, the said soldiers to return to their garrisons; and did also issue the like warrants unto divers others, which warrants were in warlike manner put in execution accordingly: and by such warlike means he did force divers of his majesty's subjects of that realm to submit themselves to his unlawful commands."—Baker, 501.

To this article the earl replied, "that to this day nothing hath been more usual in Ireland, than for the governors to appoint soldiers to put all manner of sentences in execution, which he proved plainly to have been done frequently, and *familiarly exercised in Grandison's, Faulkland's, Chichester's, Wilmot's, Cork's, and all preceding deputies' times.*"—Idem, 511.

‡ "The earl answered, that the lord deputies have *ever exercised martial law, upon the march of the armies, as well in time of peace as war!!!!*"—Nalson, II. 60.

*a good account of themselves, were hanged by the provost marshal!!!**

It must be obvious, even to a cursory observer, that when individuals had the power of executing martial law on persons "*who could not give a good account of themselves,*" many men, obnoxious to the ruling powers, would, merely on that ground, be regarded as

* "I dare appeal to those that know the country, whether in former times many men have not been committed and executed by the deputies' warrant, that were not thieves and rebels, but such as went up and down the country. *If they could not give a good account of themselves*, the provost marshal, by direction of the deputies, using in such cases to hang them up. I dare say, THERE ARE HUNDREDS OF EXAMPLES IN THIS KIND!!!"

The above quotation was, in the second edition, referred to Nalson's Collections, II. 115. This was an error, which I did not discover, till I was verifying the references for the present edition. Whence I derived it, I cannot tell. But it is to be observed that, so far as regards the wanton waste of human life, by martial law, in time of peace, the fact does not require the support of the quotation in question. When this fearful power was entrusted to marshals and their deputies, as appears to have been the case by the depositions of Lord Wilmot, Lord Dillon, and the Earl of Ely, avarice, malice, or revenge, would easily convert innocent enemies into "rebels, or outlaws, or kerns, or persons who could not give a good account of themselves." Such a power, conferred on such persons, in the best regulated government in christendom, would give rise to hideous abuses. How awful, then, must have been the result in a country of such egregious misrule, where the nation was divided into lawless oppressors on the one side, and defenceless serfs on the other? What havoc must have been made under this execrable system, during the long period that elapsed during the reign of James, and until the impeachment of Strafford—above thirty years!!

"Lord Dillon deposed that martial law had been practised, and men hanged by it, in times of peace."—NALSON, II. 60.

"Lord Wilmot deposed that martial law IS SO FREQUENT AND SO ORDINARY in Ireland, and *so little offensive, that the common law takes no offence at it!!!*"—RUSHWORTH, VIII. 198.

It could not, of course, be very "*offensive*" to those who enacted it—to those by whose order it was executed—nor, indeed, to those whose situation secured them from its operation. But we may easily conceive how "*offensive*" it was to the unfortunate and ill-fated wretches who were its victims.

"The Earl of Ely deposed that martial law was in use in the kingdom of Ireland —and was twofold, *summary* and plenary—the first for rebels and kerns that kept the woods," [these "kerns," it is to be fairly presumed, were "those who could not give a good account of themselves;"] "the other in the time of war, in the field, which ended when the army was dissolved. That the use of it was rare, *in regard of the damage to the king!* the party condemned *losing* ONLY LIFE!!!—not goods and estate."—NALSON, II. 60.

This feature of the administration of martial law secured to those who had estates a trial by jury, (in which, in a portion of the period in question, their fate was almost as certain as in a trial by martial law.) But those wretches who could "*only lose their lives!*" were left to the tender mercies of humane marshals and their equally humane deputies.

"Lord Dillon deposed that he heard that the provosts marshal had taken and hanged men by martial law, since the beginning of the reign of James. That of rebels and outlaws, there is no question."—RUSHWORTH, VIII. 189.

It is true that some of the witnesses on the trial of Strafford deposed that they had rarely known of such executions. But this affords no disproof of the fact. Scores of "kerns" and supposed "rebels and outlaws" might be hung every week in the wilds of Connaught or Munster, and the news never reach the ears of the nobility in Dublin. These negations are put down by the declaration of Lord Dillon, that martial law was "*so frequent and so ordinary that the common law took no notice of it.*"

persons "who could not give a good account of themselves:" and, inferring from known principles of human nature,—from the eternal tendency in the possessors of uncontrolled power to abuse it,—from the rancorous and malignant spirit that existed towards the Roman Catholics,—and, at least in an equal degree, from the impunity their oppressors experienced, it is by no means improbable, that of the "*hundreds of persons*" who were thus hanged, as "*not able to give a good account of themselves*," there were many incomparably superior in worth and standing to the military executioners, by whose sentence they were hurried to their last account with "all their sins and imperfections on their heads."

How little value must have been set upon human life,—how deplorable the waste of the species,—what scenes of carnage and desolation must have taken place, when, in a time of peace, those "*who could not give a good account of themselves*" were liable to be hanged! Who was to decide on the *goodness of the account?* Probably, in most cases, a merciless wretch, who united in his person the three characters of judge, jury, and executioner!

I shall close the account of the malversations of Lord Strafford, with two or three individual cases of injustice and violence, which are fair specimens of his general administration. A suit was instituted by Sir James Craig, against a certain Dermot M'Carty, which was *twice dismissed from court as unjust.* The plaintiff applied to Strafford, who gave a decree in his favour for the enormous sum of 5496*l.*!!! which totally ruined the defendant, who applied for permission to go to England, where he hoped for redress. But the deputy issued a positive prohibition to leave the kingdom.* An arbitrary proclamation had been issued in 1635, prohibiting the nobility, undertakers, and others, who held estates in Ireland, from leaving the kingdom without license. But this proclamation, in its most rigorous interpetation, could never justly extend to the case of M'Carty; and even if it did, could not justify the refusal of license.

On the commitment of Lord Ely, his confidential servant, James Parry, was summoned to the council-board, and interrogated with a view of criminating his master. He was then dismissed, with orders to attend for further examination, and did attend every day for a week, without being summoned to the board again. At the end of the week,

† "*Dublin Castle, 28th June*, 1637.

"For our reasons, best known to ourselves, we think it not fit to grant the petitioner's request; but do rather hereby expressly inhibit, and forbid him to transport himself into England, or any part beyond the seas, without our licence first-had in that behalf! and, of these directions the petitioner is required, not only to take notice, but also obey the same, as he will answer the contrary at his utmost peril!" —Rushworth, VIII. 465.

"*April* 3, 1641.

"James Nash deposed that he knew the passages of all the causes, having been a solicitor and agent for the father of Mac Carty, and waiting on their occasions in Dublin. That after the obtaining of two dismissions in the suit, my lord did order and decree for sir James Craig, 5496*l.* against Mac Carty. And on this decree an *order to dispossess him of all his father's estate; and he banished into a foreign part!* the young man, for fear, would not come in and appear; but, hoping to have redress in England, did petition in this matter, in desire and hope to have redress in that decision made by the lord Strafford."—*Ibid.*

lord Ely sent him to England to make proper representation of his case to the government there. In order to prevent his application, and of course to defeat Lord Ely's object, Strafford immediately wrote to England to have Parry arrested and sent back, which was accordingly done. On his return he was fined 500*l.*—imprisoned—and totally ruined.*

Lord Roche having been sued in the star-chamber in England, applied for permission to go over to justify himself—but was refused.†

Two members of parliament, appointed by the house of commons a committee to present a remonstrance to king Charles, were denied license to depart, and an embargo laid on the shipping to prevent them.‡

From the whole tenor of Strafford's conduct, and from his declarations, it incontestibly appears that he contemplated the establishment of a complete despotism at least in Ireland, and doubtless would have finally aided in its establishment in England, had he not been arrested in his career. As long as his administration continued in Ireland, he was successful—for his government was very nearly as arbitrary as that of the then reigning king of France or Spain.§

Eulogy has been lavished on the disinterestedness of Lord Strafford and his disregard of his personal concerns. "Whatever affection he had for power, he had very little of self-interest in him." [CARTE, I. 56.] This trait of character is just as unfounded as the rest of his history, narrated by Carte, Leland, and Hume. He amassed enormous wealth in Ireland by his rapacity and monopolies.‖ He had a large family, and lived with great prodigality—and yet he was enabled to provide a single child with an estate of 5000*l.* a year, and woods,

* "Henry Parry deposed, that his lord and master, the lord chancellor Ely, being committed to the castle of Dublin, the earl sent for him, and commanded him to attend the judges to be examined about some papers seized; that he attended six days; but his lord having occasion to make use of his friends' interest, sent him over into England to solicit his majesty for relief; that here he was attached by Mr. Secretary Cook's warrant; that he entered into bond before he could be discharged of the messenger, to return into Ireland; that *after his return he was fined* 500*l.* and ordered to acknowledge his offence at the board; and that *he was imprisoned and utterly ruined;* that his fine was reduced to 250*l.*; that he paid 184*l.*"—NALSON, II. 74.

† "The lord Roche deposed, that he was denied license, intending to come over to justify himself against an information in the star chamber."—*Ibid.*

‡ "Sir Robert Smith deposed, that having a command from the house of commons in Ireland to come over hither, he was denied license, and a restraint was laid upon shipping upon that account. Mr. Fitzgarret deposed to the same effect."—*Ibid.*

§ "So as I can now say, the king is as absolute here, as any prince in the whole world can be, and may be still, if it be not spoiled on that side."—STRAFFORD, I. 344.

‖ His profits by the monopoly of tobacco were most exorbitant. He bought it at 4*d.*, 6*d.*, and 8*d.* per pound, and sold it at 2*s.*, 2*s.* 6*d.*, and 3*s.* The council under his directions, issued a proclamation prohibiting the sale of any tobacco, without his seal. Those who contravened the proclamation, were fined, imprisoned, and pilloried by order of the council. Sixty at a time have been committed to prison. It was stated on his trial, that his gains by this monopoly exceeded the whole public revenue of Ireland.—RUSHWORTH, VIII. 402, 3, 4, and 5.

which, near London, would be worth 50,000*l.** The estate of 5000*l.* at twelve years' purchase, amounted to 60,000*l.*—and suppose the woods worth only half the estimate, the whole forms an aggregate of 85,000*l.*, equal, according to the present value of money, to above 2,000,000 of dollars—to one son!

This, truly, is a wonderful proof of great disinterestedness and disregard of wealth. But in addition, he stated on his trial, that by the wanton waste committed on his papers and evidences of debts, &c. &c., he lost 80,000*l.*† This sum must have consisted chiefly of personal property. He stated that he had, in his warehouses, at the time of his arrest, tobacco to the value of 40,000*l.* This was seized, and formed part of the 80,000*l.* When to the above items, is added the residue of his fortune, it is not improbable that the whole amount was equal to at least 5 or 6,000,000 of dollars of our present money.‡ And *he was only seven years lord deputy;* during which short period he had, with consummate "*disinterestedness*," depredated on the unfortunate Irish to this enormous amount. He commenced his career in life, as a plain country gentleman, of an independent but moderate fortune. It is doubtful, therefore, whether his depredations did not equal, perhaps exceed those of Verres.

In deciding on the conduct of this satrap, it is highly important to bear in mind, that almost every item, at all events every important count of the accusation, either rests wholly or is collaterally confirmed by that imperishable monument of his rancour, malice, extortion, and oppression—his own letters.

There is one point of the history of Lord Strafford which requires elucidation, as it has been very strangely misunderstood and misrepresented. One of the acts for granting a subsidy to the crown, has an elaborate exordium, of the most encomiastic character, respecting Lord Strafford's administration, which has been adduced as conclusive proof of his merits:—

"After an encomium on his majesty's goodness to his people of Ireland, the clause follows in these words, "And particularly in providing and placing over us *so just, wise, vigilant, and profitable a governor as the right honourable sir Thomas Wentworth*, knight, earl of Strafford, lord lieutenant of your majesty's said kingdom of Ireland!!! who by his great care and travail of body and mind, sincere and upright administration of *justice without partiality!!!* increase of your majesty's revenue *without the least hurt or grievance to any of your well-disposed and loving subjects!!!* and to our great comfort and security by the large and ample

* "I will build him a good house, and by God's help leave him, I think, near three thousand pounds a year, and wood on the ground as much, I dare say, if near London, as would yield fifty thousand pounds; besides a house within twelve miles of Dublin, the best in Ireland, and land to it, which, I hope, will be two thousand pounds a year, all which he shall have to the rest, had I twenty brothers of his to set besides me."—Strafford, II. 380.

† "The earl having directed his plate and household goods to be brought to England, they appointed a committee to seize them on ship-board, to break open all rooms, doors, chests, and locks, and take away all his writings and evidences, making such terrible havock by these orders, and the cruel execution of them, that (as the earl affirmed solemnly at his trial) *it was to his damage above eighty thousand pounds.*"—Carte, I. 127.

‡ In these and some former calculations, I have supposed the value of money to have decreased to one-sixth, within the last one hundred and eighty years. How far this estimate is correct, the reader will decide.

benefits which we have received and hope to receive by your majesty's commission of grace for remedy of defective titles procured hither by his lordship from your sacred majesty!! his lordship's great care and pains in restoration of the church; the reinforcement of the army within this kingdom, and ordering the same with such singular and good discipline, as that it is now become a great comfort, stay, and security to this your whole kingdom, which before had an army rather in name than in substance; his support of your majesty's wholesome laws here established!! his encouragement and countenance to your judges and other good officers, ministers, and dispensers of your laws, in the due and sincere administration of justice!!! his necessary and just strictness for the execution thereof! his due punishment of the contemners of the same, and his care to relieve and redress the poor and oppressed. For this your tender care over us, shewed by your deputing and supporting of so good a governor!! we your faithful subjects acknowledge ourselves more bound than we can with tongue and pen express," &c.—CARTE, I. 93.

When he was impeached in England, the Irish house of commons drew up articles against him, and forwarded them to London, by agents specially authorized to take the necessary measures to prosecute an impeachment. Here *appears* a gross inconsistency, which has led some writers, particularly Carte, to censure the house of commons severely, as if they had, unjustly and wickedly, united with the enemies of Strafford, to calumniate him, by accusations utterly destitute of truth.

That these accusations do not fall within this description, is indisputable from the preceding statements, respecting Lord Mountnorris, Lord Ely, Mr. Stuart, Parry, &c., established by solemn depositions. No panegyrics, however elaborate, even if unanimously passed, could wipe away these foul stains. The falsehood, then, must necessarily be in the preamble. How this very extraordinary article came to be introduced into an act of subsidy, remains to be discussed. The tyranny of Strafford, and the slavish dependence in which he held the parliament,* would sufficiently account for the interpolation, even had it been introduced in a full house. But the house of commons most explicitly declared, in a memorial to the king, that *it was introduced fraudulently and without the privity of the house.*†

It is highly probable, as he was going to England, and desirous of some support against the opprobrium* which his despotic proceed-

* "Sir Robert Talbot ventured to make some remarks on the conduct of Wentworth, for which he *was expelled from the house of commons, and imprisoned.*"—*Commons Journal.*

† "The knights, citizens, and burgesses in parliament assembled, do hereby declare and protest that to prevent and anticipate the just and universal complaints of his majesty's most faithful, dutiful, and loving subjects of this kingdom ** the aforesaid preamble [to the act of subsidies] was contrived, penned, and inserted fraudulently, (without the privity of the house,) either by the earl of Strafford himself, or by some other person or persons, advisers, procurers, or actors of, and in, the manifold and general grievances and oppressions of his majesty's kingdom of Ireland, by the direction and privity of the said earl. And they require their committee, then attending his majesty, to present unto him that their protestation and proofs thereof; and likewise to present unto his majesty, their humble request, that an act might be passed in that parliament for revoking, vacating, and taking from the records of parliament, the before-recited part of the preamble concerning the earl of Strafford."—CURRIE, I. 167.

* "I had been defamed for *barbarous and cruel usage of the late earl of St. Albans and the lord Mountnorris*—slanted upon as a cozener and impostor in the customs—charged by sir Piers Crosby with *an horrid murder*, the silly man daily countenanced and fomented by some at court in his senseless calumnies. And in a word, reported to all the world rather *for a basha of Buda*, than the minister of a pious and Christian king."—STRAFFORD, II. 27.

ings had attached to his name, that he manœuvred to bring forward the bill for a last reading in a thin house, composed chiefly of his own partizans, those officers whom he so carefully caused to be chosen into parliament, and then artfully introduced the preamble; or, as asserted by the Irish house of commons, fraudulently interpolated it. For such tricks he was admirably calculated.

While the letters of Strafford contain such damning evidences of disregard of justice, and the most implacable malignity, the most insatiable avarice, and the most dire thirst for vengeance on all who offended him, he had the effrontery and hypocrisy to attempt to delude his correspondents into the opinion that he was one of the most pure and immaculate of human beings; and that his engaging in worldly affairs, instead of devoting himself to divine contemplations, arose wholly from his regard to the interests of the king! It is sickening to contrast those pious effusions with the satanical spirit he manifested towards Lord Mountnorris, Ely, and the other victims of his wrath.

" *God knows how little delight I take in the outwards of this life!! how infinitely ill satisfied I am with myself, to find daily those calm and quiet retirements!! wherein to contemplate some things more divine and sacred than this world can afford us!!!* at every moment interrupted thorough the importunity of the affairs I have already. *To heaven and earth I protest it, it grieves my very soul,* and that it is nothing but love (if I may be admitted a word of so near a distance, and of so little courtship) to the persons of his majesty and yourself, that could make me take up this yoke and follow!!! no other affection or passion could effect it!!"—Strafford, I. 79.

" I thank God, *I never found a purpose in my heart to wrong any creature!!!!* —Idem, II. 284.

" It is against my nature and disposition continually to dwell upon contestation in a manner with all men! where nothing is sought by me but *quietness, silently and peaceably to pass over this life!!! I call the heavenly power to witness, no other respect but the service of God and his majesty should longer oblige me unto it!!!!*—Strafford, II. 157.

" Where I may seem to take any thing to myself. *I am naturally modest!* and should be extream unwilling to be held supercilious or imperious amongst them."—*Idem,* I. 201.

Never in human affairs was the bitter chalice of retributive justice more completely returned to the lips of an unfeeling persecutor, than it was to those of Lord Strafford in a few short years. He, who spurned the supplications of a high-born lady, lowly bending on her knees, and praying for mercy on an aged and venerable husband, writhing under confinement, sickness, and ruined fortunes—and was inexorable to the prayers of Lord Ely—was finally brought to the bar himself, and there with tears in his eyes, strove to excite in his prosecutors that pity and mercy, which, in the course of his life, he had never accorded to any supplicant.—

" My lords," says he in the conclusion of his last address to the house of lords, " I have troubled you longer than I should have done, were it not for the interest of *these pledges,* that a saint in heaven left me.* I would be loth, my lords —(*here his weeping stopt him.*) What I forfeit for myself is nothing; but, I confess, that my indiscretion should forfeit for them, it wounds me very deeply. You will be pleased to pardon my infirmity. Something I should have said; but I see I shall not be able, and therefore let it pass."—Nalson, II. 123.

* The recollection of his utter disregard of lady Mountnorris's twelve " dear pledges," must at that moment have excited the keenest remorse.

May I be allowed to add a few words here on the character and conduct of Charles I. who performed so capital a part in the affairs of Ireland during this period? That he did many things during the civil war, which his warmest friends cannot justify, has never been denied. But in extenuation of most of them, it may be justly observed, that in the extraordinary circumstances of that period, he was scarcely master of his conduct, and was often imperiously forced to command and to sanction acts which he might not approve. But with respect to Ireland, during the whole of the administration of Strafford, he stood on totally different ground. No circumstances then pressed him. He was completely master of his conduct. His *sic volo, sic jubeo,* was supreme law. And his uniform support of Strafford in all his depredations—in his flagitious and atrocious oppression of Mountnorris and Ely—and in the whole series of his misdeeds, imprints a stain on his memory which will descend to the latest posterity; and which the talents of all the Clarendons and all the Humes that ever existed, if united in his defence, would never efface. Strafford, after the major part of these atrocities had been perpetrated, went to court, and gave an account of his proceedings to the privy council; of the whole of which Charles expressed the most unqualified approbation:—

"Here his majesty interrupted me, and said, *that was no severity; wished me to go on in that way:* for, if I served him otherwise, I should not serve him as he expected from me."—STRAFFORD, II. 21.

"His majesty was pleased to express his approbation of all I have done; their lordships, to advise, *I should go on in the work so well begun;* and that it must be acknowledged the best service that had been done this crown in Ireland. So I kneeled down, kissed the king's hand, and the council rose."—*Ibid.*

Strafford's deportment at his death was exemplary—wholly free as well from a vain affectation of indifference to, as any womanish fear of, the awful close of his career. Whether he had expiated his offences by repentance, is known only to his Maker. The primate of Ireland, who attended at his execution, speaks of his exit from the world encomiastically.

"The lord primate of Ireland, giving an account to the king of the manner of his death, told him, that he had seen many die, but *never saw so white a soul return to his maker!!!*"—NALSON, II. 202.

P.S. Nov. 7, 1836. Since the preceding half sheet was printed off, I have, to my inexpressible gratification, discovered that the quotation from Lord Strafford's address, in pp. 187 and 188, which in the second edition is referred to Nalson's Collections, is from Rushworth, Vol. VIII. p. 649. I had spent some hours in the effort to trace it to its proper source—but in vain—and relinquished the effort, with grievous mortification, at the plausible opportunity it would afford to some malignant critic, to charge me with falsification. The reader may, perhaps, conceive, but he cannot easily overrate, the joy I felt at the accidental discovery of the passage in the above page of Rushworth.

CHAPTER XVIII.

Fallacious view of the situation of Ireland for forty years previous to the Insurrection of 1641. *Outrageous persecution. Vandalic and sacrilegious attack on the altars of the living God; robbery of their ornaments; and brutal assault on the ministers while occupied in Divine worship.*

"What has been said of the chief, is true of the inferior officers. * * * Each in his province exercising the same tyranny, and grinding the people by an oppression the more severely felt as it was near them, and exercised by base and subordinate persons."—BURKE.

"*Needy projectors and rapacious courtiers still continued the scandalous traffic of pleading the king's title against the possessors of estates, of seizing their lands, or forcing them to grievous compositions.*"—LELAND, III. 15.

"*I have dipped enough into your work to be satisfied of your success in showing that the Irish nation has been as much traduced by the pen of history as it has been scourged by the rod of power.*"—JAMES MADISON, President of the United States.

IN order to excite a deadly abhorrence of the Irish Roman Catholics for the insurrection, which is so generally styled "the execrable rebellion of 1641," nearly all the writers of Irish history have drawn such a picture of the state of the country for forty years previous to that lamentable event, as would almost induce a reader to believe that there was a perfect millenium in Ireland—that the government was mild and beneficent—that life, liberty, property, and the exercise of religious opinions, were as well secured as they are at present in the United States.

I subjoin three of those fraudulent statements, which are not only not true, but as foreign from truth as Belzebub from the arch-angel Michael.

"Their priests, jesuits, and friars, *without any manner of restraint*, had quietly settled themselves in all the chief towns, villages, noblemen's and private gentlemen's houses, throughout the kingdom! so as *the private exercise of* ALL THEIR RELIGIOUS RITES AND CEREMONIES *was freely enjoyed by them!! without any manner of disturbance!!! and not any of the laws put in execution*, whereby heavy penalties were to be inflicted upon the transgressors in that kind!!!"—TEMPLE, 15.

"*The whole nation enjoyed an undisturbed exercise of their religion!* and *even in Dublin*, where the seat of the king's chief governor was, *they went as publicly and as uninteruptedly to their devotions as he went to his!!!!* Their bishops, priests, and all degrees of secular and regular clergy, were known to be, and exercise their functions among them: and though there were some laws against them still in force, which necessity and the wisdom of former ages had caused to be enacted to suppress those acts of treason and rebellion which the people frequently fell into, and the policy of present times kept unrepealed, to prevent the like distempers and designs, yet *the edge of those laws was so totally rebated by the clemency and compassion of the king! that* no man could say he had suffered prejudice or disturbance in or for his religion!!!"—CLARENDON'S *Ireland*, p. 8.

"*The whole nation, generally speaking, enjoyed an undisturbed exercise of their religion!!* Even in Dublin itself, which is the seat of administration, *the Roman Catholics went, though not as publicly, yet as uninteruptedly, to their devotions as the chief governor did to his!!!!* They had their titular archbishops, bishops, vicars-general, provincial synods, deans, abbots, friars, and nuns, who all

lived freely, though somewhat covertly amongst them! and *without restraint exercised their respective jurisdictions!* They had also their priests and jesuits who were of late years multiplied exceedingly from Spain and Italy and other parts abroad; whither the children of the native Irish were usually sent for their education. These priests and jesuits, *without any restraint!!!* had settled themselves *quietly* in all the chief towns and villages, and in the noblemen's and gentlemen's houses throughout the kingdom! Thus, though it was privately, yet *the exercise of all their religious rites and ceremonies, was enjoyed freely, and without any control!!!!* and though there were some laws against them still in force, which the wisdom and necessity of former ages had caused to be enacted, and which the policy of the present times had kept unrepealed, yet the *edge of those laws was so totally rebated by the indulgence of the government, that not a single man could say that he had suffered any prejudice or disturbance for his religion!!!!*"—Warner, 2.

It is a just rule, of universal application, that when a witness has testified to a wilful falsehood, the competence of his testimony in future wholly fails. This rule applies equally to historians in all cases in which there is such an obvious and glaring perversion of fact, as cannot be fairly ascribed to human fallibility, but must have arisen from corrupt and sinister views. And, moreover, when a writer is detected in egregious errors, particularly on vital points, even if those errors be wholly unintentional, and have proceeded merely from want of the requisite industry in investigating the subject, his authority is at least greatly impaired, if not wholly destroyed for the future, unless he is supported by other writers on whom dependence can be placed. His statements should at all events be received with nearly as much caution and suspicion as those of the writer who has wilfully sophisticated the current of history. This idea, however extraordinary it may appear at the first blush, stands on strong ground. The neglect, the carelessness, the want of proper industry in research, which have led us into error in one or two cases, may be fairly presumed to exist in others, and to produce the same effects again and again.

Let us test these glowing descriptions of peace, prosperity, toleration, and lenity of a government, under which "*not a single man could say that he had suffered any prejudice or disturbance for his religion.*" And I trust it will appear that *the history of no age or country was ever disgraced by a more atrocious falsehood.*

"In the beginning of king James's reign, *the penal laws were put into execution against recusants—and indictments exhibited against them for not coming to church.*"—Carte, I. 140.

1605. "A proclamation published commanding the Popish clergy to depart the kingdom."—Ware, *Gesta Hib.* 175.

Anno 1617. "A proclamation issued for banishing the Popish regular clergy."—*Idem*, 176.

1622. "Several Popish magistrates who had refused the oath of supremacy contrary to the statute of 2 Eliz. chap. 1st, *were censured in the star chamber!* when bishop Usher made a speech about the lawfulness of that oath."—*Idem*, 177.

1623. "Issued out a proclamation requiring the Popish clergy, regular and secular, to *depart the kingdom in forty days! and forbidding all converse with them after that time.*"—Harris, 329.

1629. "In this year, the Roman clergy began to rant it, and to exercise their fancies called religion, so publicly *as if they had gained a toleration:* for whilst the lords justices were at Christ's church in Dublin, on St. Stephen's day, *they were celebrating mass in Cook street;* which their lordships taking notice of, *they sent the archbishop of Dublin, the mayor, sheriff, and recorder of the city,* with a file of musqueteers to apprehend them; which they did, *taking away the crucifixes and paraments of the altar!! the soldiers hewing down the image of St. Francis!!* the priest and friars were delivered into the hands of the pursuivants, at whom the people threw stones, and rescued them; the lords justices being

informed of this, sent a guard and delivered them, *and clapped eight Popish aldermen by the heels, for not assisting the mayor!!* On this occasion, *fifteen houses*, by direction of the lords of the council in England, were seized to the king's use!!!! and the priests and friars were so persecuted, that *two of them hanged themselves in their own defence.*"—HAMMOND L'ESTRANGE.

"The lords justices sent the archbishop, the mayor, sheriff, and recorder of the city, to apprehend them, which they did; TAKING AWAY" [that is *piratically plundering*] "*their crucifixes, chalices, and copes*, and delivering the friars and priests into the hands of the pursuivants!!"—BAKER, 469.

"*They earnestly entreated even a temporary relaxation of the penal statutes of Queen Elizabeth*, declaring, that in this case, if the king should ask two, three or four subsidies, they doubted not of a chearful and zealous compliance. But their solicitations in parliament, and the practices of their agents in England, produced no other effect than a general, cautious and moderate execution of these statutes."—LELAND, II. 536.

"The governor and council began by enjoining the magistrates and chief citizens of Dublin to repair to the established churches. Repeated admonitions and conferences served but to render them more obstinate. *They were fined and committed to prison!* when in an instant, all the old English families of the Pale took the alarm, and boldly remonstrated against the severity of these proceedings. They denied the legality of the sentence by which these severities were inflicted, and urged, that by the act of the 2d of Elizabeth, the crime of recusancy had its punishment ascertained, and that any extension of thepenalty was illegal and unconstitutional."—LELAND, II. 495.

"*Magistrates and officers of justice were strictly required to take the oath of supremacy!* and as the city of Waterford had obstinately chosen a succession of recusants for their chief magistrates, who all in turn *refused to take this oath*, and in other particulars discovered an aversion to conformity; a commission issued, TO SEIZE THE LIBERTIES AND REVENUES of a city which had formerly and frequently been obnoxious to the state!"—*Idem*, 540.

"The administration of the new governor, (St. John,) was disturbed by various clamours and discontents. By his conduct in the late parliament *he appeared to be actuated with peculiar zeal against popery!* And whether provoked by *the insolence of the recusant party*, or that his nature and principles disposed him to treat them with less lenity than they had for some time experienced, HE SOON PROCEEDED TO A VIGOROUS EXECUTION OF THE PENAL STATUTES."—LELAND, II. 540.

The most superficial reader must perceive, and the most bigoted will not dare deny, that there are here most palpable contradictions—that there must be egregious errors on one side or the other—that if the statements of L'Estrange, Baker, Carte, Leland, Ware and Harris be true, Temple's, Lord Clarendon's, and Warner's must be utterly false. There is no other alternative. The assertion, that men who are "*indicted for not going to a church*," the doctrines of which they disapprove, and who, unless they take the oath of supremacy, which is a virtual renunciation of their religion, are expelled from the magistracy, heavily fined and thrown into prison; have "suffered no prejudice on account of their religion," is a most barefaced and atrocious falsehood: and the assertion that those "*enjoy the undisturbed exercise of their religion*," whose worship is sacrilegiously violated in the face of day—whose chalices and crucifixes are feloniously purloined—whose altar and ornaments are hewed in pieces—whose priests are banished under severe penalties, in case of return—or dragged from the altar to prison in the midst of divine service—and whose churches, chapels, colleges, and convents, are seized, confiscated, or razed to the ground—is such a monstrous violation of truth, as in any other case than the history of ill-fated Ireland, would destroy the credibility of the writers for ever. No language of reprobation can be too strong to brand those, how exalted soever their sphere of life,

who lent their names to such scandalous deception on the world, in a case so very plain—so unsusceptible of mistake—a case involving the character of a nation, as well as the whole train of the eventful history of the succeeding half century. The history of the world, in the most fabulous era of its existence, can scarcely furnish a more miserable or desceptious literary fraud.

I say distinctly "*literary fraud*"—for, with the exercise of the highest degree of charity which the case can require, it is impossible to believe that Temple or Clarendon could have been unacquainted with the circumstances stated by the other writers, and with the various proclamations issued and enforced in Ireland, during their millenium of forty years, for the banishment of the Catholic clergy, the seizure and confiscation of their churches, colleges, and convents—the prohibition of their teaching schools, &c. &c. From one of these proclamations, I annex a few extracts.

Extracts from a Proclamation by Lord Faulkland, Lord Deputy of Ireland, dated April 1st, 1629.

"Forasmuch as we cannot but take notice, that *the late intermission of legal proceedings* against Popish pretended or titulary archbishops, bishops, abbots, deans, vicars-general, Jesuits, friars, and others of that sort, that derive their pretended authority and orders from the see of Rome, hath bred such *an extraordinary insolence and presumption in them, as that they have dared of late not only to assemble themselves in public places, to celebrate their superstitious services in all parts of the kingdom!!!* but also have erected houses and buildings, called public oratories, colleges, *mass-houses*, and convents of friars, monks, and nuns, in the eye and open view of the state and elsewhere." * * *

"These are therefore to will and require, and in his majesty's name straightly to charge and command all and all manner of such pretended or titulary archbishops, bishops, deans, vicars-general, archdeacons, and others, deriving any pretended authority, power, or jurisdiction, from the see of Rome, that they and every of them forbear from henceforth to exercise any such power, jurisdiction, or authority within this kingdom; and that all such abbots, priors, Jesuits, friars, monks, nuns, and others of that sort as aforesaid, do forthwith *break up their convents and assemblies*, in all houses of friars, colleges, monasteries, and other places, wheresoever they are or shall be conventually or collegiately assembled together, within this kingdom, and to relinquish the same, and to disperse and separate themselves.

"And that all and every of the *orders before named, and other priests whatsoever, do from henceforth forbear to preach, teach, or celebrate their service, in any church, chapel, or other public oratory or place, or to teach any school, in any place or places whatsoever within this kingdom!!!*

"And we do further charge and command all and singular the owners of such houses of friars, colleges, monasteries, schools, oratories, mass-houses, and nunneries, that they, and every of them respectively, in default of the persons before-named, their voluntary relinquishing of the said houses of friars, colleges, monasteries, schools, oratories, mass-houses, and nunneries, do forthwith *expel and thrust forth* all and singular such friars, Jesuits, and other monastical persons, out of the same; and do convert the same to more lawful uses, upon pain to have their said houses seized upon to his majesty's use; and *both the one and the other to be proceeded against for their unlawful assemblies, and maintenance of such unlawful conventicles* and corrupt nurture of children, in the severest manner that by the laws and statutes of this kingdom, and ecclesiastical government of the same, may be had or extended!!! whereof they and every of them are to take notice, and to yield due obedience thereunto, as they and every of them will avoid his majesty's high indignation, and the consequence thereof."—Rushworth, II. 21.

This proclamation goes the full length of suppressing *the public exercise of the Roman Catholic religion altogether:* for their priests were

prohibited from "*celebrating their service in any church, chapel, or other public oratory or place.*"

And to aggravate the severity of this proceeding, the proclamation was calculated to barbarize the nation, by debarring the great body of them of education, and thus bringing them up in brutal ignorance. The priests, who were at that period almost the only schoolmasters in the kingdom, were prohibited from "*teaching school, in any place or places whatsoever in the said kingdom.*" The mind sickens in tracing such constant, unvarying scenes of rapine, wickedness, and tyranny, unrelieved by any thing that can afford consolation on reflexion, or redeem the character of the government from richly-earned execration.

Extract of "a letter from the lord deputy Wentworth, to the lord primate and the rest of the commissioners for ecclesiastical causes, June 2, 1636.

"Whereas the whole clergy of this kingdom, in convocation assembled, did present their humble petition, amongst other things, that *all popish schoolmasters might be suppressed,* that inquiry should be made by fit commissioners into the abuses of free schools, and to give speedy order for the reformation of them; that whereas frequent burials in abbeys is an occasion of the great neglect and contempt of parish churches, and mainly prejudicial to the clergy, some good course might be taken to restrain that abuse by act of state; we have thought fit not only to testify our approbation thereof, but also to desire you, as those to whose care it most particularly belongs, to take the same into your serious consideration, and we do hereby require and authorize you to advise of some good means whereby *the said abuses* may be prevented in future."—STRAFFORD, II. 7.

Dr. Leland, discussing the oppressions and penalties which the Roman Catholics suffered, reasons with great sang froid on the folly of their subjecting themselves to such disadvantages, and appears to believe that there is no more difficulty in a change of religion, than in a change in the fashion of dress. He very philosophically states that

"Men whose religious principles expose them to grievous disadvantages in society, are particularly bound to examine those principles with care and accuracy, lest they sacrifice the interests of themselves and their posterity to an illusion."—LELAND, II. 517.

This is miserable cant, which applies with equal force and propriety to the case of all persecutors, of all ages and every country. Dioclesian, Nero, Mahomet, Lauderdale, or Dalhousie, might with equal propriety have held the same language to the unhappy objects on whom they wreaked their vengeance, as the Irish government. They might have said, while they were preparing their stakes and their flames, or about to shoot down their victims, "You ought to examine with care and accuracy those principles which expose you to grievous disadvantages, and not to sacrifice your own interests, and those of your posterity, to an illusion." The idea of an entire nation laying aside, as illusions, religious opinions imbibed in infancy, and a form of worship to which they had been accustomed through life, and the attachment to which "grew with their growth," would never have entered into the mind of any man who was not temporarily a dotard; and whatever might have been the ordinary range of Dr. Leland's mind, he must at that moment have been in a state of dotage.

In one of the preceding extracts from Leland, we are informed that the Roman Catholics "*entreated for even a temporary relaxation of the penal laws*"—offering, as a boon, "two, three, or even four subsi-

dies." Yet this is during a period in which Clarendon and Warner both declare that no man could say that "he had suffered any prejudice or disturbance on account of his religion!!!" If the Catholics enjoyed the free exercise of their religion—if they suffered no "prejudice or disturbance on account of it," such an application was a work of extreme supererogation. But they were, forsooth, so prodigal of their wealth, that they were willing to lavish it most extravagantly for the removal of evils which did not exist!

In the same spirit of delusion, he [Leland] states, that the result of their application was to produce "*a general, cautious, and moderate execution of those statutes!!!*"

We have seen how very "moderate and cautious" was the execution of those statutes—that the Roman Catholics were subject to frequent indictments, enormous fines, to the seizure of their churches, to the banishment of their clergy, imprisonment, and exclusion from office! This is what the veracious historian calls a "moderate execution of those statutes."

It is impossible to read, without indignation, the manner in which the flagitious attack on the congregation in Cook-street, the narrative of which is quoted above from L'Estrange, is noticed by Carte and Leland. The former states that—

"The recusants took greater liberties, *in contempt of the laws*, than either the state could indulge them with safety to its reputation, or themselves, practise consistent with the rules of prudence. Not content with the enjoyment of their religion, the celebration of the mass, and the exercise of ecclesiastical jurisdiction in a private and modest way, in which they were connived at by the government, *they would needs do all this in an open and public manner!* They frequented their religious meetings and masses as constantly and with as much confidence as the protestants did their churches. And when the magistrates, offended with too open an insult to their authority, offered to apprehend the officiating priest, he was rescued by the multitude in a tumultuous manner even at Dublin, under the very nose of the government, with horrid affronts to the archbishop and mayor of the city!"—Carte, I. 53.

It is difficult to conceive of a stronger instance of historical chicane than is here displayed; and it is a fair specimen, I once more repeat, of the manner in which Irish history is generally written. The enormities perpetrated on the Irish, however atrocious, are softened down or palliated in a silky, milky style, and most of them wholly omitted; while the magnifying powers of the microscope, or the inventive talents of Munchausen, are applied to depict the Irish as objects of abhorrence. Had the Roman Catholics been engaged in some dangerous conspiracy to subvert the government; or in the act of enlisting soldiers for that purpose; or had they in preparation some "*infernal machine*" to blow up the castle, it might be said, that "*they took greater liberties than the state could indulge them in.*" But to use such language, to mark with reprobation the mere act of assembling peaceably to worship God in the manner practised in their country, and throughout the whole of Christendom, for ages, displays a most disgraceful illiberality: and to feign such strong sensibilities for the "*horrid affronts*," put upon *a mitred ruffian*,* who was resisted in a sacrilegious attack upon the

* *The "horrid affront" on a mitred ruffian.* This style of expression towards so elevated a character as an archbishop, will offend the eyes and ears of some delicate readers, who will regard it as shocking and indecorous. But I have not lightly

altars of the Living God, is inexpressibly disgusting; and in any independent court of literature, would be sufficient to have the writer expelled from the honourable corps of historians.

Leland informs us, that "*the incident*," (that is, the attack on the priest, the altar, and the congregation, and the resistance on the part of the Catholics!!) "was represented in England in the most offensive manner, and seemed to reproach THAT MISTAKEN LENITY!! *which had* encouraged the recusants to *this outrage;*" that is, gentle reader, "THE OUTRAGE" of repelling a savage assault, which would have disgraced a gang of Algerines or Ostrogoths. "It was deemed neither safe nor politic to connive at *such insolence!!* By an order of the English council, *fifteen religious houses were seized to the king's use: and the popish college, erected in Dublin, was assigned to the university, which for the present converted it into a protestant seminary.*"—LELAND, III. 8.

Such is the miserable manner in which the hotch potch, palmed on the world as history, is written—such the statement of a piratical depredation on private property, worthy of a gang of New Zealanders. An outrage which imperiously required the most glowing language of abhorrence and reprobation, that could flow from the pen of a Tacitus, a Juvenal, or a Junius, is not merely glossed over as pardonable, but apparently commended as meritorious: and those in whose persons the most sacred rights are violated, and who are rapaciously despoiled of their altars and their temples, are *held up to reprobation as criminals; and this by writers who undeservedly enjoy a high degree of reputation!*

Suppose that we admit for a moment, (and the admission must be but momentary,) that a paltry minority of a nation, two-thirteenths of the entire population,* have a right to proscribe the great majority from any particular form of worship; to inflict penalties on its exercise; and to dictate any other that may seem meet to them; suppose that the worship practised at the chapel were manifestly illegal; or even suppose it were absolutely impious and idolatrous; and that, instead of worshipping the Living God, they were actually worshipping idols, the

adopted it. I have well weighed the matter, before I determined to use it; and, instead of any apology, make no scruple to avow, that did the English language afford terms of reprobation stronger and more significant, but not scurrilous, I should have used them. If an archbishop, a governor, a king, or an emperor, be not ashamed to act like *a ruffian!* ought we to be either afraid or ashamed to style him "a ruffian!" Whatever scruples others may have on this subject, I have none. I have called and shall continue to call, throughout this work, men and things by their proper names, regardless of titles or dignities: and, believing that the crime here perpetrated was only second to murder, and that none but a ruffian would contemplate, none but a ruffian order, and none but a ruffian undertake its commission, I unhesitatingly incur the responsibility of designating it by its peculiarly appropriate phrase. Indeed, the higher, the more exalted the perpetrator, the more justice and propriety there is in marking the deed with the strongest language. Can any terms be too strong to stamp the guilt of a minister of the Living God, heading a furious mob to destroy the altars of that Living God? "A ruffian," according to Sheridan, is "*a brutal, boisterous, mischievous fellow!*" And would any but a most "*brutal, boisterous, mischievous fellow,*" head a licentious band of mercenary soldiers, in an attack upon *an unarmed and defenceless body of men, women, and children,* whose only crime was the solemn act of worshipping the Living God, or deface and destroy his altars, and *purloin* the ornaments consecrated to his worship?

* "Before the war, the proportion was as two to eleven."—PETTY, 312.

work of men's hands, that "have eyes and see not, ears and hear not." Can there, even under all these inadmissible suppositions, be a shadow of defence pretended for the choice of *the time, the place, and the manner of perpetrating this abominable act of violence?* There was probably no other country under the canopy of heaven, but Ireland, where such odious sacrilege would have been perpetrated, or allowed to pass with impunity, under the auspices and by the direction of the government.

The intent of this base procedure is unambiguous: it speaks its true character clearly and unequivocally. It was an effort to provoke the wretched people to insurrection, *in order to renew again the scenes of confiscation and proscription, which fill the sickening and heart-rending pages of the history of that ill-fated country.* If this had not been the intention, the government would have let the worship pass over; waited till next day; and then proceeded against the "*idolatrous papists,*" in due course of the "*mild laws of the country.*"

When the intelligence reached the court of king Charles, instead of recalling the justices, who had abused their trust, by promulgating such orders, and punishing the perpetrators of the outrage, he issued a proclamation, whereby he became *particeps criminis;* and, to punish the outraged people for the guilt of their oppressors, ordered the chapel where *the sacrilege had been perpetrated, to be razed to the ground, and the oppressed Catholics to be robbed of various others of their places of worship!!**

* *Extracts from a Letter to the Lords Justices and Council of Ireland, dated January* 31, 1629.

"By your letters, we understand how the seditious riot, moved by the friars and their adherents at Dublin, hath by *your good order and resolution been happily suppressed.* And we doubt not but by this occasion you will consider how much it concerneth the good government of that kingdom, to prevent in time the first growing of such evils: for where such people are permitted to swarm, they will soon make their hives, and then endure no government but their own, which cannot otherwise be restrained, than by *a due and seasonable execution of the laws,* and such directions as from time to time have been sent from his majesty and this board." * * *

"And such magistrates or officers, if any shall be discovered, that openly or underhand favour such disorders, or do not their duties in suppressing them, and punishing the offenders, you shall do well to take all fit and safe advantages, by *the punishment or displacing of a few,* to make the rest more cautious. This we write not as misliking the fair course you have taken; but to express the concurrence of our judgment with yours, and to assure you of our assistance on all such occasions, wherein for your further proceeding we have advised, and his majesty requireth you accordingly to take order, first, that THE HOUSE WHERE SO MANY FRIARS APPEARED IN THEIR HABITS, and wherein *the reverend archbishop and the mayor of Dublin received their first affront,* BE SPEEDILY DEMOLISHED, and be a mark of terror to the resisters of authority; and that *the rest of the houses erected or employed there or elsewhere in Ireland, to the use of superstitious societies,* be converted into houses of correction, and to set idle people on work, or to other public uses, for the advancement of justice, good art, or trade.

"And further, that you use all fit means to discover the founders, benefactors, and maintainers of such societies and colleges, and certify us their names. And that *you find out the lands, leases, rents, or revenues applied to their uses, and dispose thereof according to the law.* And that you certify also the places and institutions of all such monasteries, priories, nunneries, and other religious houses, and the names of all such persons as have put themselves to be brothers or sisters

It may be thought impossible to add to the atrocity of this procedure. But this is an egregious error. Did not Edmund Burke pronounce a celebrated bull, that "*in the lowest deep there was still a lower?*"—or something to that effect. This was the case here, as will appear from these facts. The parliament, called to ratify the miscalled "graces," which were to remove the grievances and tranquillize the minds of the Irish, was to have met in Nov. 1628, but was defeated by the fraud and chicane of the English government and Lord Faulkland, as may be seen in page 144. But the piratical, ferocious, rapacious and sacrilegious order above alluded to was issued in Jan. 1629, only two months after the solemn contract with Charles I. was to have been ratified, for which 270,000*l.* were paid, or secured to be paid. Let us no longer prate about the "*punica fides.*"

When such ruffian violence was perpetrated by a grand dignitary of the church, in the capital, by order of those who held the reins of government, and afterwards received the marked approbation of the British administration, it is easy to conceive to what extent the example must have been followed throughout the kingdom; how deplorable the situation of the Catholics; what a wretched chance of redress they had for any wrong or violence perpetrated on them; and what a loathsome tissue of fables, every man, not destitute of truth, honour, honesty, or candour, must pronounce those histories, which, for the most sinister purposes, boldly state the gross, the palpable falsehood, that "the whole nation," for forty years, previous to 1641, "*enjoyed the undisturbed exercise of their religion: and even in Dublin, where the seat of the king's chief governor was, they went as publicly and as uninterruptedly to their devotions, as he went to his.*" [CLARENDON'S *Ireland*, 8.] This falsehood is destitute of the slightest defence or extenuation. It is not on an abstruse, doubtful, or contested point, where, even with the best intentions, error is not easily avoided, and where, of course, error is pardonable. It respects facts of the utmost notoriety, to be found by the most cursory glance on the very surface of history: and I repeat, it cannot for a moment be doubted, that Lord Clarendon, when he lent the weight of his name to the story, and committed this sweeping declaration to paper, must have known that he was making an assertion utterly destitute of foundation, to blacken the already-too-much-defamed character of the persecuted, oppressed, and pillaged Roman Catholics: for it was utterly impossible for him to be so conversant with public affairs, or to have read history as he must have done, without being thoroughly acquainted with the infinite variety of pains, penalties, and disqualifications, under which the Roman Catholics laboured in both king-

therein, especially such as are of note, to the end such evil plants be not permitted any more to take root in that kingdom, which we require you to take care of.

Lord Keeper,
Lord Treasurer,
Lord President,
Lord Privy Seal,
Lord High Chamberlain,
Earl of Suffolk,
Earl of Dorset,
Earl of Salisbury,
Earl of Kelley,
Lord Viscount Dorchester,
Lord Newburgh,
Mr. Vice Chancellor,
Mr. Secretary Cook,
Sir William Alexander."*

* Rushworth, II. 33.

doms; and which were as utterly incompatible with the picture he drew, as light and darkness, heat and cold, vice and virtue, are incompatible with each other.

L'Estrange is disposed to be witty on this subject. He states, that "the priests and friars were so persecuted, that two of them hanged themselves, *in their own defence*." This is truly a novel mode of "*self-defence*." It is, however, far more probable, and almost certain, that some bloodthirsty and fanatical ruffians, inspired by "*a holy abhorrence*" of the "superstitious idolatries and abominations of popery," and availing themselves of the infuriated spirit of the government, seized these unfortunate men privately, and hanged them up, without judge or jury. Of the sanguinary spirit of mobs and factions, when merely connived at by the constituted authorities, and still more when countenanced and excited by them, the world has had many calamitous instances, in ancient and modern times; among which the Roman proscriptions, and the Parisian Septembrization, stand pre-eminent. But whether those priests died by suicide or murder, is of little importance here: in either case it proves the flagitious persecution of a people, of whom, I beg leave once more to repeat, Lord Clarendon and Warner made the extravagant declaration, that "no man could say that he had suffered prejudice or disturbance on account of his religion!!!"

James I., previous to his accession to the throne of England, had held out in his correspondence with the Catholic princes, in order to propitiate them in his favour, that he would relax somewhat of the rigour of the penal code against the Irish Roman Catholics,* who, shortly after his coronation, sent a deputation to London, to lay their grievances before him, and solicit some indulgence. Sir James Gough, one of the number, on his return to Dublin, announced that the mission had been successful; "that the agents had been graciously received by the king; and that at his departure his majesty had commanded him to publish in all places of the realm, that he would not force their consciences, nor hinder them from keeping priests in their houses, so as they entertained none of those who maintain that the pope had power to depose or excommunicate his majesty." [CARTE, I. 21.] "This," says Carte, "being contrary to the king's solemn declaration in *England*, that *he would never grant any toleration to the Roman Catholics*, and *entailing a curse on his posterity if they granted any*, and contrary likewise to the instructions and directions the state had received from the king, for ministering the oath of supremacy to the lawyers and justices of the peace, and for putting the laws against recusants in execution, the deputy reproved him for publishing so appa-

* Some few years before queen Elizabeth's death, "king James was at the utmost pains to gain the friendship of the Roman Catholic Princes, as a necessary precaution to facilitate his accession to the English throne. Lord Home, who was himself a Papist, was entrusted with a secret commission to the Pope. The archbishop of Glasgow was an active instrument with those of his own religion. The Pope expressed such favourable sentiments both of the king and of his right to the crown of England, that James thought himself bound some years after to acknowledge the obligation in a public manner. Sir James Lindsey made great progress in gaining the English Papists to acknowledge his majesty's title."—ROBERTSON, VII. 240.

"It is certain that the promise king James made to Roman Catholics, was registered, and amounted so high at least as to a toleration of their religion."—OSBORNE, apud CURRY, I. 58.

rent an untruth, and told him he did not believe him. But Gough continuing with arrogance to justify the message, the lord deputy thought it necessary to exercise a *wholesome and seasonable severity upon him.*" [Ibid.] Carte does not inform us what this "wholesome and seasonable severity" was; but we learn from Leland, that the "deputy committed Sir James Gough close prisoner to the castle of Dublin." —LELAND, II. 530.

In 1627, the affairs of Charles I. were in a most deranged state. He was engaged in a war with France, deeply in debt, and much distressed for resources, which he could not prevail on Parliament to afford. In this emergency, the Irish Roman Catholics offered to support constantly five thousand foot and five hundred horse,* provided they were *indulged with a mere toleration of their religion*, and some other favours of minor importance.†

This proposition, made at a time when, we are told, that the "Catholics enjoyed the undisturbed exercise of their religion," excited as much alarm and opposition as if the Protestant religion was about to be suppressed by act of parliament. The archbishop of Armagh, the celebrated Usher, and all the other dignified clergy of the established church, with a most miserable spirit of bigotry and intolerance, worthy of that persecuting and fanatical age, but disgraceful to the actors, entered a most solemn protest‡ against the measure, as "an abomination and toleration of idolatry; and as being *accessary to the perdition of the seduced people who perish in the deluge of the Catholic apostacy!*"

* "Towards the end of the Lord Faulkland's government, (there being great need of money for support of the standing army in Ireland, and maintaining of 500 horse and 5000 foot; much by extraordinary means having been otherwise disposed,) the Catholics of Ireland, (glad of the occasion,) seemed very forward to supply the state, in hopes of a connivance, (if not a toleration,) of their religion."—BORLASE, 1.

† "The toleration they desired," according to Curry, "was no more than some respite from the oppressions and extortions of the ecclesiastical courts; and to have all proceedings against them in those courts, for religion, suspended; to be released from those exorbitant sums which they were obliged to pay for their christenings and marriages; and particularly to have the extravagant surplice fees of the clergy, and the extraordinary warrants for levying them, abolished."—CURRY, I. 109.

‡ "The religion of the papists is *superstitious and idolatrous;* their faith and doctrine *enormous and heretical;* their church, in respect to both, *apostatical. To give them, therefore, a toleration*, or to consent that they may freely exercise their religion, and profess their faith and doctrine, *is a grievous sin*, and that in two respects; for first it is to make ourselves accessary not only to *their superstitious idolatries and heresies*, and in a word to all *the abominations of popery*, but also, (which is a consequent of the former,) *to the perdition of the seduced people which perish in the deluge of the Catholic apostacy;* secondly, to grant them a toleration in respect of any money to be given or contribution to be made by them, is *to set religion to sale, and with it the souls of the people, whom Christ hath redeemed with his blood.* And as it is a great sin, so it is also a matter of most dangerous consequence, the consideration whereof we commit to the wise and judicious, beseeching the God of Truth to make them who are in authority, zealous of God's glory, and of the advancement of true religion; zealous, resolute, and courageous against *all popery, superstition, and idolatry.*

James Armachanus,
Mal. Casellen,
Anthony Medensis,
Tho. Fern. and Leghlin,
Robert Dunensis,
Richard Corke,
Andrew Alackdens,
Tho. Kilmore and Ardagh,
Theo. Dromore,
Mic. Waterford and Lismore,
Fra. Limerick.†

† Rushworth, II. 22.

Among the grievances of the nation, the House of Commons in the year 1640, remonstrated, in a memorial "to the lord deputy against the fees and proceedings of ecclesiastical courts* and employment of commutation money, and against the dues and demands of the Protestant clergy for christenings, marriages, burials, breaking of ground in churches, hearse-cloths, mortuaries and other customs; some of which, as St. Patrick's ridges, soul-money, anointing muttons, holy-water clerk, and Mary-gallons, had been in many places introduced in the times of popery, and were by custom raised into a constant revenue."—CARTE, I. 101.

I now quit this odious part of a most odious subject, and feel confident that I have proved to the complete satisfaction of every candid reader, notwithstanding the unqualified assertions to the contrary, of writers who are regarded as high authority, that the Roman Catholics of Ireland, during the whole period of forty years which preceded the insurrection of 1641, were exposed to a persecution of the most rancorous character. It had begun under Elizabeth, and was continued from the accession of James to the throne, and, with slight and unimportant intermissions, through his reign and that of his successor. The facts are established by authentic public documents, and by the testimony of English and Protestant writers generally labouring under a strong bias against the Roman Catholics. We have seen in a public proclamation that "*the assembling in public places to celebrate their superstitious worship*," was considered as such "insolence and presumption in them," [supra, 202,] as to call down upon them the vengeance of the government, which dispatched a file of soldiers to destroy their altars and seize their priests in the time of divine worship. They

* The annexed extracts from "the humble remonstrance of the knights, citizens, and burgesses of the house of commons in parliament assembled" in 1640, referred to in the text by Carte, sheds further light on "the undisturbed exercise of their religion," enjoyed by the Irish Roman Catholics, for "*forty years*" before 1641.

"To the lord deputy,

"They humbly represent unto your lordship, that divers complaints have been referred to them by sundry persons, from several parts of this kingdom, of many grievous exactions, pressures and other vexatious proceedings, of some of the clergy of this kingdom, and their officers and ministers, against the laity, and especially the poorer sort, to the great impoverishment and general detriment of the whole kingdom; which the said house of commons, after many debates thereof, having taken into serious consideration, it was conceived by the unanimous votes of the house, that all of them were very great and enormous grievances. Some whereof, being most exorbitant and barbarous, they were of opinion ought to be quite abolished, being repugnant to law and reason; and the rest to be reformed, &c."—Commons' Journal, I. 158.

"Great sums of money received by several bishops of this kingdom for commutation of penance; which money, by his majesty's instructions, should be converted to pious uses; not observed, but made a private profit"—*Ibid.* 261.

"In Connaught and elsewhere, six pence per annum of every couple, (holy-water clerk;) of every man that dies, a *muttue*, by the name of *anointing-money;* from a poor man that has but one cow, they take that for *mortuary:* from one that is better able, his best garment for *mortuary.* If a woman, her best garment for *mortuary:* and a gallon of drink for every brewing, by the name of *mary-gallons:* for every beef that is killed for the funeral of any man, the hide and tallow, and they challenged a quarter besides: four pence or six pence per annum from every parishioner, for *soul-money:* a ridge of winter-corn and a ridge of oats for every plough, by the name of *St. Patrick's ridges:* for *portion-canons,* the tenth part of the goods, after debts paid, &c."—*Ibid.* 260.

were, moreover, subject to the most grievous exactions and oppression in the ecclesiastical courts,* before which they were cited on the most frivolous pretexts. The declaration, therefore, that "no man could say he had suffered prejudice or disturbance on account of his religion," is not only not true, but directly the reverse of truth.

* The following affecting picture of the vexatious oppressions and grinding injustice of the ecclesiastical courts in Ireland, drawn by Bishop Burnet, in his Life of Bishop Bedell, is beyond the reach of suspicion, and places in strong relief, the deceptious statements of the tranquillity and happiness enjoyed by the Irish, as stated by Temple, Clarendon, Carte, and Warner. Those courts pervaded every part of the kingdom. No man was so high or so low as to escape the fangs of their officers.

"The officers of the court made it their business to draw people into trouble by vexatious suits, and to hold them so long in it that for three pence worth of the tithe of turf, they would be put to five pounds charge. And the solemnest and sacredest of all the church censures, which was excommunication, went about in so sordid and base a manner, that all regard to it, as it was a spiritual censure, was lost, and the effects it had in law made it be cried out on as a most intolerable piece of tyranny. *The officers of the court thought they had a sort of right to oppress the natives, and that all was well got, that was wrung from them.*"—Life of Bedell, 89.

CHAPTER XIX.

Fallacious and fraudulent statement of the security of property in Ireland for forty years previous to the insurrection. Wholesale plunder, unrestrained by any scruples of honour, honesty, or justice. Pimps, spies, and informers. Court of wards.

I WILL not allow myself to doubt for a moment, that the strong irrefragable facts I have adduced to prove the barbarous persecution suffered by the Roman Catholics, during the millenium, on which Clarendon, Temple and Warner dwell in such glowing terms, is a day-dream, and so far as the two first are concerned, blasts their reputation for veracity. I draw a pointed line of distinction between them and Warner. Each of those might say with Æneas—

"*Omnia quæ vidi,*
Et quorum pars magna fui."

Neither Temple nor Clarendon could possibly be ignorant of the real state of the case, of which they drew such a false picture; whereas Warner was probably led astray by his dependence on the authority of Clarendon—a deceptious guide.

I now proceed to prove that the statements respecting the security of property during the forty years previous to the insurrection, are equally and as atrociously false as those respecting the religious toleration referred to, and refuted in the preceding Chapter.

"The two nations had now lived together *forty years in peace*, with great security and comfort, which had in a manner consolidated them into one body, knit and compacted together with all those bonds and ligatures of friendship, alliance, and consanguinity, as might make up a constant and perpetual union betwixt them."—TEMPLE, 15.

"Whatsoever their land, or labour, or industry produced, was their own, being not only free from having it taken from them by the king upon any pretence whatsoever, without their consent, but also secured against," &c.—CLARENDON'S *Ireland*, p. 7.

"*In this blessed condition of peace and security*, the English and Irish, the Protestants and Catholics, lived mingled together, in all the provinces of the kingdom, quietly trafficking with one another, *during the whole happy reign of James!* and from his death, every degree of their happiness was increased and improved *under the government of his late majesty*."—Idem, page 8.

"The papists had *for many years enjoyed a great calm*, being upon the matter absolved from the severest parts of the law, and dispensed with for the gentlest; and *were grown only a part of the revenue*, without any probable danger of being made a sacrifice to the law."—CLARENDON'S *England*, I. 116.

"A few interruptions and murmurings in some particular places notwithstanding *almost* FORTY YEARS *had passed away in the greatest calm and felicity!!!* that the inhabitants of Ireland had ever before enjoyed.* The great increase of

* "*In the greatest calm and felicity*," &c. This flattering statement might be strictly true, and yet not go far to prove what was intended. Ireland having, from the date of the invasion of Henry II. been an almost uninterrupted scene of warfare, oppression, rapine, and confiscation, this period of "greatest calm and tranquillity"

commerce, the improvement of land, and the ornament and advantages of public buildings, had given a new face to the country. *Whatsoever their skill and industry produced became their own;* being not only free from fear of having it *taken from them by the government, upon any pretence without their consent!!* but being also secured against theft and robbery, by just execution of salutary and useful laws."—WARNER, 1.

"In this happy situation of affairs *when the national grievances were redressed,* and a general composure and serenity was established throughout the kingdom; nothing to fear from the administration, and *no animosity as to interest or religion appearing to subsist among them,* without the least pretence of a quarrel, or the apprehension of any hostility by the Protestants," &c.—WARNER, 6.

On the subject of security of property, I might refer to the contents of Chapter XI. wherein is detailed the royal rapine of James I. in Ulster and Leinster, amounting to 885,000 acres, about a twentieth part of the kingdom, and the piratical career of Lord Strafford in Connaught to a still greater amount, which alone would disprove the "flattering tale" and show how diametrically opposite it is to the truth.* But the subject is of too much importance to be dismissed without further proof. For shocking as were those proceedings, and rapacious as was the monarch by whom they were perpetrated, the sufferings and spoliations experienced by the Irish, from individual rapacity, far exceeded them in the wide scope they embraced, which was the whole extent of the kingdom.

I have asserted that this system of rapine was more oppressive than that of James. A moment's reflection will satisfy every reader on this point. That miserable king only spoliated a twentieth part of the island; whereas the informers harassed, tricked, and preyed upon the inhabitants of the greatest part of the remaining nineteen-twentieths. Carte, whose testimony on this point will not be questioned, informs

might be, as it actually was, a period of great suffering and oppression. Sometimes the comparative or even the superlative degree of comparison is not so expressive as a simple positive. A man may be the *best* of his family, and yet be far from *good.*

* "They who were too poor or too spiritless to engage in distant adventures, *courted fortune in Ireland.* Under pretence of improving the king's revenue in a country where it was far less than the charge of government, they obtained *commissions of inquiry into defective titles,* and grants of *concealed lands and rents* belonging to the crown!! the great benefit of which was generally to accrue to the projector, whilst the king had but an inconsiderable proportion of the concealment, or a small advance of rent. DISCOVERERS WERE EVERY WHERE BUSILY EMPLOYED IN FINDING OUT FLAWS IN MEN'S TITLES TO THEIR ESTATES!! The old pipe-rolls were searched, to find the original rents with which they had been charged. The patent rolls, in the tower of London, were ransacked for the ancient grants. *No means of industry,* or DEVICES *of craft, were left untried, to force the possessors to accept of new grants at an advanced rent.* In general, men were either conscious of the defects in their titles, or *alarmed at the trouble and expence of a contest with the crown;* or *fearful of the issue of such a contest,* at a time, and in a country, where the prerogative was highly strained, and strenuously supported by the judges. These inquiries, therefore, commonly ended in a new composition, made at as cheap a rate, and as easy an advance of rent, as the possessors could obtain." —LELAND, II. 549.

"In several ancient grants, there had been a reservation of rents to the crown. During long intervals of commotion, the king's revenue had not been, nor could be, regularly collected; nor had such rents been put in charge, by his officers, for ages. *Acquittances were now demanded.* IT WAS IMPOSSIBLE TO PRODUCE THEM; and the failure to produce them was pleaded as SUFFICIENT TO OVERTHROW THE FAIREST TITLES."—*Idem,* 548.

us, "there were few gentlemen in the kingdom, who had not been, some time or other, questioned for their title, or disturbed in the possession of their estates."—CARTE, I. 60.

This is perfectly natural; and what might have been inferred from the proceedings of the rulers, even were history silent on the subject. The experience of the world proves, that severe laws and good government too often fail to repress fraud and violence, even when corporal punishments and penalties are held out *in terrorem*, to awe offenders. But, we repeat, when a government becomes a plunderer on a huge scale, and sets the alluring example of spoliation; when it violates, in the most profligate manner, the rights of property, held by regular descent, for ages; when, with sacrilegious hand, it tears down the barriers erected by law, honour, honesty, and justice; but, more particularly than all the rest, when it divides a nation into two castes, and prostrates one, tied neck and heels, at the feet of the other, as the Helots were at the feet of the Spartans,—the native Irish, previous to the reformation, at those of the successive swarms of needy English adventurers, who migrated thither for the purpose of "repairing their shattered fortunes,"—and, subsequent to the reformation, the Roman Catholics at the feet of the miserable oligarchy styling itself "*the Protestant ascendency;*" what can be the result of such a state of things, but that the favoured caste will be base, corrupt, unjust, and tyrannical; and violate, as they generally may with impunity, every law of God and man, to the oppression of the degraded caste? and that the latter forlorn description will be abject, timid, crouching, and forced to submit to every indignity, insult, and depredation,* or, if they resist, be crushed, with added weight, to their previous sufferings.

"The commissioners appointed to distribute the lands, scandalously abused their trusts, and by fraud or violence deprived the natives of those possessions, which the king had reserved for them. *Some, indeed, were suffered to enjoy a small pittance of such reservation; others were totally ejected.*"—LELAND, II. 516.

"There are not wanting proofs of the most iniquitous practices, of hardened cruelty, of vile perjury, and scandalous subornation, employed to *despoil the fair and unoffending proprietor of his inheritance.*"—LELAND, II. 549.

"*They were still exposed to vexatious inquisitions into the titles of their estates,*

* Among the grievances which are so pathetically enumerated in the Remonstrance of the Catholics of Ireland, agreed upon, March 17, 1642, the following is subjoined to the subject of the present chapter, and is confirmed by the preceding extract from Leland: "The procuring of false inquisitions upon feigned titles of their estates, against *many hundred years' possession*, and no traverse or petition of right admitted thereunto!! !!! and *jurors, denying to find such offices, were censured even to public infamy and ruin of their estates*; the finding thereof being against their consciences and their evidences: and nothing must stand against such offices taken of great and considerable parts of the kingdom, but letters patents under the great seal: and if letters patents were produced, (as in most cases they were,) none must be allowed valid, nor yet sought to be legally avoided: so that of late times by the underhand working of Sir William Parsons, knight, now one of the lords justices here, and the arbitrary illegal power the two impeached judges in Parliament, and others drawn in by their advice and counsel, *one hundred and fifty letters patents were avoided in one morning!* which course continued until all the patents of the kingdom, to a few, were by them and their associates declared void." —CARTE, III. 137.

and were impatient to be freed from the apprehensions of litigious suits. The popish party were not more solicitous for the interest of their religion, than *to extricate themselves from the disadvantages and mortifications to which they were exposed by the penal statutes.*"—Idem, 561.

"Adventurers were encouraged by the numerous donations of estates, and the *ease with which affluent fortunes were obtained in Ireland.* They ransacked old records, they detected such concealments; were countenanced by the state; they dispossessed the old inhabitants, or obliged them to compound for their intrusion; they were vested with portions of their lands, or otherwise rewarded."—*Idem*, 515.

"The interested assiduity of the king's creatures in scrutinizing the titles of those lands, which had not yet been found for, or acknowledged to belong to, the crown, was, if possible, still more detestable."—*Idem*, 547.

"The revival of obsolete claims of the crown, harassing of proprietors by fictions of law, *dispossessing them by fraud and circumvention*, and all the various artifices of interested agents and ministers, were naturally irritating; and the public discontents must have been further inflamed by the insincerity of Charles, in evading the confirmation of his *graces;* the insolence of Strafford in openly refusing it; together with the nature and manner of his proceedings against the proprietors of Connaught."—Leland, III. 102.

"Where no grant appeared, or no descent or conveyance in pursuance of it could be proved, *the land was immediately adjudged to belong to the crown.* All grants of the crown from the first year of Edward the Second, to the tenth of Henry the Seventh, had been resumed by parliament!! and the lands of all absentees, and of all that had been expelled by the Irish, were, by various acts, again vested in the crown, *which impeached almost every grant of lands antecedent to that period!!!* Nor did later grants afford a full security!!*** *Thus was every man's enjoyment of his possessions precarious and disputable at a time when commissioners were awarded to enquire by what title he enjoyed them.*"—Leland, II. 547.

The land was covered with hosts of pimps, spies, and informers, whose eternal employment was finding flaws in the titles of gentlemen's estates, and, if possible, ejecting them, in which they were constantly countenanced by government; or, if they failed in this part of the project, forcing them to ruinous compositions.

Such was the hideous picture exhibited in Ireland, during that period, which the world, deluded by dishonest writers, of great but undeserved celebrity, has been universally led to regard as a "*blessed condition of peace and security.*"

Can the history of the world produce, in a state of peace, such a hideous order of things elsewhere? An entire nation divided into two classes, plunderers and plundered,—spies and informers, and victims of their malice and avarice! What scenes of distress and wretchedness, what instances of rapine, what fraud, what trick, what chicane, what forgery, what perjury, must have taken place in such a state of society; when the baleful race of informers and "*discoverers were every where busily employed in finding out flaws in men's titles to their estates!*" And this in Lord Clarendon's millenium! when "whatsoever their land, labour, or industry produced was their own!" [Supra, page 48.]

Fastidious readers will murmur at the constant repetition of the development of the errors of Lord Clarendon, which occurs in this work. But what is to be done in such a case? If fraud, falsehood, and imposture, every step we take, cross our path, must we pass them over unnoticed, from deference to that fastidiousness, which, while it submits cheerfully to the eternal repetition of falsehood, affects to be shocked at the repetition of its detection?

To place more clearly before the eyes of the reader the lawless nature of the measures adopted to dispossess and plunder the Irish, I an-

nex from Carte the case of a family* persecuted by Sir William Par-

* "One case in truth was very extraordinary, and contains in it such a scene of iniquity and cruelty, that, considered in all its circumstances, it is scarce to be paralleled in the history of any age or any country. Pheagh Mac Hugh Byrne, lord of the Byrnes territory, now called the Ranelagh, in the county of Wicklow, being killed in arms, towards the latter end of the reign of queen Elizabeth, she, by her letters to Loftus and Gardiner, then lords justices, directed letters patent to be made out for Phelim Mac Pheagh, his eldest son, to have to him and his heirs the country and lands of which his father Pheagh Mac Hugh died seized.

"King James coming to the crown not long after, did, in the beginning of his reign, give the like direction for passing the said inheritance to Phelim. This sir Richard Graham, an old officer in the army, endeavoured to obstruct; and in order thereto, sued out a commission, directed to sir William Parsons and others, to enquire into the said lands; and upon the inquisition it was found that they were the inheritance of Pheagh Mac Hugh Byrne, father to Phelim, and were then in Phelim Mac Pheagh's possession. King James thereupon by a second letter directed, that Ranelagh, and all the lands whereof Phelim Mac Pheagh and Brian his son and heir were then seized, should be passed to them and their heirs by letters patent; in consequence whereof, another office was taken, in which the lands were found as in the former. The first office, however, was not yet filed, sir Richard Graham having opposed it; and, by his interest, and the credit of a general book which he produced, got possession of part of Phelim's lands, in virtue of a warrant from the lord deputy. Sir James Fitz Piers Fitzgerald attempted likewise to get another part of them passed to him upon the like authority; but Bryan, the son, in whose possession they were, complaining of it at the council table, sir James's patent was stayed.

"Encouraged by this success, Bryan applied himself next to the king for redress against sir Richard Graham, complaining that, contrary to his majesty's letters, part of his lands had been passed to the said sir Richard. King James directed the cause to be heard at the council-board in Ireland, and certificate to be made of the truth. At the hearing, sir Richard alleged that the lands were the inheritance of certain freeholders, and not of Phelim and his ancestors; and a commission was ordered for examining witnesses upon this fact. The council certified the king of their proceedings, and sir Richard Graham, or an agent duly authorized by him, was required to repair into England. Sir Richard sent his son William, who thought to get Bryan's appeal dismissed by the help of the duke of Buckingham, and preferred a petition to the king, which the duke seconded. But the duke of Richmond being present, and knowing the case, acquainted his majesty with the true state of the matter.

"The king thereupon referred the hearing and determining of it to the two dukes, who appointed sir Dudley Norton, sir Francis Annesley, sir Henry Bourchier, and Mr. Richard Hadsor, one of the king's learned counsel for the affairs of Ireland, to hear the matter and certify the fact. When the cause was heard before these commissioners, sir William Parsons produced before them a book of his own writing, calculated to prove the lands in question to be the inheritance of freeholders, contrary to the office which had been found before sir William himself, and the other which had been taken (as is said above) in virtue of king James's second letter. But the commissioners giving more credit to those offices than to his book, sir William and Mr. Graham seeing that matters were likely to go in favour of Phelim, started an objection, which effectually prevented a final determination of the dispute

"It was a fetch indeed that could not fail of success; for they undertook, with the assistance of lord Esmond and Redmond Mac Pheagh, *to entitle the king to the lands or the greatest part of them, and to prove that they were really vested in the crown!!!* This immediately stopped the proceedings of the commissioners, who would give no sentence in a case where the crown was concerned, the right whereof they had no authority to determine.

"Propositions for the benefit and service of the prince are always favourably received, and a commission was easily obtained, empowering sir William Parsons and others to enquire of the said lands. Bryan acquainting the duke of Richmond with this, his grace wrote himself to the lord deputy, and engaged the king and council

sons and his confederates, which is a tolerably fair specimen of the

of England to send directions to him to stay the commission. Notwithstanding which the commissioners went on with it, and an office was found that all the said lands were the inheritance of Pheagh Mac Hugh, (Phelim's father,) who died in rebellion. But as queen Elizabeth had afterwards granted them to Phelim and his heirs, and the king had confirmed the same by his letters, this office needed not have hindered the passing of them to Phelim and Bryan, who were by those letters entitled to Pheagh's whole inheritance.

"This, however, could not be obtained, the lands being intended to pass into other hands. Bryan acquainted the king with these proceedings and intentions, and got his majesty's letter to the lord deputy and lord chancellor of Ireland, directing that none of the said lands should pass by letters patents, lease, or otherwise, till the matter was heard at the council table in England. It happened unluckily for Bryan, that the duke of Buckingham went for Spain before sir Dudley Norton and the other commissioners had made their report; and was so taken up after his return, that he could not meet the duke of Richmond to settle and decide the affair; but he had a much greater misfortune in the sudden death of the latter, which happened soon after; and left Phelim and Bryan without a patron in the court of England.

"Their enemies soon made an advantage of it, and sir *William Parsons got the lord deputy's warrant to the sheriff of Wicklow, to put him in possession of part of their lands!!* The sheriff accordingly gave sir William possession of that part which Phelim enjoyed! but Bryan still kept the other part which was in his own hands. Lord Esmond thereupon sent for him, and would have persuaded him to refer the matter to his decision, which Bryan declined, *knowing that his lordship was a confederate with his adversary; as appeared afterwards, when that lord and sir William Parsons shared his lands between them!!!* This refusal lord Esmond resented, and sir William Parsons afterwards sued Bryan in the Exchequer for the lands of which he still retained the possession, but his bill was dismissed. Lord Esmond, however, persisted in troubling him for those very lands, but Bryan maintaining his right, he and his brother Turlogh were by their adversaries' practices *committed close prisoners to Dublin castle!!! on March* 13, 1625, upon the information of Thomas Archer and Dermot Mac Griffin, Cahir Mac Edmond Mac Art, and Turlogh Duffe, all three of the name of Cavenagh. This last had formerly plundered one of Phelim's tenant's houses, and carried off the man's wife and cows. Phelim, being a justice of the peace and of the quorum, upon his tenant's complaint, soon issued a warrant to apprehend Turlogh Duffe, who fled first into the county of Catherlogh, and from thence into that of Kilkenny, where he was apprehended; and then by way of revenge and to save his life accused Bryan and his brother Turlogh. *Archer did not so readily submit to be an evidence; he was first miserably tortured!!! put naked on a burning gridiron!!! then on a brandiron, and burnt with gunpowder under his buttocks and flanks!!! and at last suffered the strapado till he was forced to accuse the two brothers!!! and then he obtained his pardon!!* Dermot Mac Griffin and Cahir Mac Art, were afterwards executed at Kilkenny, *declaring at the hour of death that they had accused Bryan and Turlogh Byrne falsely!!!* Such were the witnesses that deposed against them; yet *on their information two bills were preferred against them, and two several grand juries at Catherlogh, not finding the bills, were prosecuted in the Star-chamber, and fined!!!*

"The two brothers, however, were still kept close prisoners, till the 20th of August following, when Turlogh was enlarged upon bail to appear on ten days' warning: and Bryan was allowed the liberty of the house. This still disabling him from taking care of his affairs, he petitioned the council, who referring the matter to lord Aungier and the lord chief justice, Bryan was set at liberty on Christmas eve, but bound to appear in court the first day of the next term. He appeared accordingly, and nothing was alleged against him; yet the lord chief justice was for binding him over to the term following. Bryan opposed this, urging that it was the motion of his adversaries, and intended only to keep him from following his business; and desired he might be bound over to appear in Michaelmas term, which would allow him time enough to go to England, and prosecute his affair there. So much time

system generally pursued for the purpose. This case is the more re-

was not thought proper to be allowed him, and he was bound to appear upon ten days' notice. This was still thought too much liberty for a man to enjoy, who was supported in his cause by two letters which king Charles, by the advice of his privy council, and the committee for Irish affairs, had sent over to the lord deputy for passing the lands to Phelim and his son; though *the great person who had got possession of them, still found means to prevent the effect of those letters!* And therefore a new prosecution was set on foot; and Bryan and Turlogh appearing upon summons, were again, on November 2, 1627, *committed close prisoners to the castle of Dublin, loaded with irons, without any diet from his majesty, or leave for any friend to visit or relieve them, though in the presence of the constable and his son!!!* This was done upon the information of Art Mac Cahir Cavenagh, who being condemned at Catherlogh assizes was *prevailed with to accuse the two brothers, but being afterwards executed there pursuant to his sentence, declared at his execution to the sheriff, (Mr. Patrick Esmond, (a brother of lord Esmond's,) that he had accused them falsely!!!* and desired him to certify the lord deputy of it. Their adversaries, however, resolved to go on, and to involve the three other brothers and their father Phelim in the same common accusation of relieving and keeping companie with one Morrogh Baccogh Kavenagh, who had for his crimes been banished for seven years, and returning before the term expired, was killed in making resistance against those that attempted to apprehend them. Morrogh was guilty of a contempt in returning; but yet was under the king's protection; so that it was neither felony nor treason to converse with him; neither had Phelim or his son ever known or seen the man; yet this in defect of another, was to serve for the matter of their accusation, probably because it best suited the witnesses who were to be suborned, and being of a private nature was the less liable to be refuted. Phelim and his sons had been zealous in apprehending Bryan Kavenagh, (Morrogh's brother,) and two others concerned with him in the murder of Mr. Ponte, for which they were executed; which rendered it not very likely that Phelim should correspond familiarly or criminally with Morrogh; but naturally enough led people to think, that *the latter's relations might, out of a spirit of a revenge, be the more easily drawn to swear any thing that would do mischief to the former, especially when it would be the means of saving their lives!!* Lord Esmond had then in prison one of Morrogh's nephews, who was with him when he was killed, and had been in rebellion. He sent this man to Dublin to accuse Phelim and his sons, which *the threats of being hanged, and the promise of life and pardon, prevailed with him to do!!* James Mac Elife, brother-in-law to Morrogh, and Bryan Kavenagh, was made use of for the same purpose. One Nicholas Notter, a notorious thief, had been prosecuted so hard by Phelim for stealing seven cows and five garrons from his tenants, that he was forced to fly the county of Wicklow, where two indictments for those thefts were found against him: but *being afterwards condemned for a robbery in the north, he was sent back to Dublin to purchase his life by accusing Phelim and his sons; for which he was likewise rewarded with apparel and other necessaries!!* Garald Mac Fardorogh, brother-in-law to Shane Bane, (who being in rebellion was apprehended by Phelim's son Hugh, and executed,) had been at the last Lent assizes prosecuted by Phelim for robbing his house; and *being put in irons, in the castle of Dublin for another crime which he confessed, was got to join in the accusation!* Edmund Duffe had been prosecuted by Mrs. Wolverston, Phelim's daughter, and condemned for burglary; *he was afterwards carried to the gallows, and being ready to be turned off, promised to accuse Phelim, and was saved from execution!!!* Lisagh Duff Mac Laghlin, a common thief, had at the last Wicklow assizes upon the prosecution of Luke Byrne, Phelim's nephew, *for stealing a horse, been condemned; but was, on his accusing Phelim, set at liberty!!* Such were the witnesses made use of in this affair; *none of which were produced in person!!!* and yet it was resolved to find a bill against Phelim and his five sons at Wicklow assizes, upon the bare reading of these, or some of these fellows' examinations, which (as the men could speak only Irish,) were most of them taken by sir Henry Belling's and Mr. Graham's interpretations. The lord chief justice, upon sight of the evidence, expressed a doubt, whether the jury would credit it; upon which sir Henry Belling pressed him to sign the bill, and

markable, and sheds the stronger light on the subject, as the victims were under the patronage of the Duke of Richmond, which, however, was not sufficient to afford them shelter from the lawless violence of their persecutors. How deplorable, then, must have been the case of the thousands, exposed to similar persecution, unshielded by the protection of any powerful patron!

"He who could not establish the right of his possessions, clearly and indisputably, lay at the mercy of the crown, and had no way but to *compound on the best terms he could obtain*, and to get a new grant of his estate."—LELAND, II. 547.

To the evidence here stated, to prove the utter insecurity of property

said he would undertake that the jury should find it. Proper measures indeed were taken for it; and lord Esmond had got Piers Sexton, who had married his niece, and was a tenant to sir William Parsons, to be made high sheriff for the job; though he had no such freehold as would by statute qualify him for serving that office. A grand jury was impannelled; sir James Fitz Piers Fitzgerald, *a mortal enemy of Phelim and his family, and who had a promise of part of Phelim's estate, or an equivalent in lieu thereof, was the foreman, though he had no land in the county!! Sir Henry Belling, who had actually got possession of part of the said estate, was the second!! most of the rest were not freeholders!! and all of them allied to, or dependants on, lord Esmond, sir William Parsons, and others, who had interest in Phelim's estate!!* 'Tis no wonder that such a jury found the bill, which was followed two days after by the death of Phelim's wife, who expired of grief to see her husband's and children's lives and fortunes put into such hands, and exposed to such imminent danger. She was buried at Wicklow, and her body dug up three weeks afterwards. Though the grand jury had thus found the bill, yet other witnesses were necessary for the trial of the parties. Sir Henry Belling, (*who never stuck at any practice, however execrable, to carry his point,*) and Mr. William (son of sir Richard) Graham who had got into possession of part of Phelim's estate of Cosha, undertook the finding of them. They were both of them provosts martial, and exerted all the power of their post for that purpose. *'Tis almost incredible what a number of persons they took up, and detained in close prison for weeks and months together, soliticing them all the while with promises of reward, and threats of hardships, even of death itself, to accuse the gentlemen whose inheritance they wanted to seize!! Some they put to the rack!! others they tried and condemned by martial law, at a time when the courts of justice were sitting!!* Some of the latter who were executed at Dublin, as Shane O'Toole, Laghlin O'Clune Cahir Glasse and his brother, declared at their death, in the hearing of thousands, that *they were executed because they could not accuse Phelim and his sons!! and the like declarations were made by others who suffered in the country!!*

"Some friends of the persecuted gentleman, seeing by how infamous and detestable methods their lives and estates were attacked, made application in their behalf to the king and council in England, with such success, that a commission was sent over to enquire into the affair. The chief of those friends who thus interposed was sir Francis Annesley, afterwards lord Mountnorris; and this, (as far as I can find,) seems to me the only ground of the imputation laid upon him by a noble historian, of being an enemy to the deputies of Ireland, and of attacking them for their administration, as soon as they left the government. The commission was directed to the lord primate of Ireland, the lord chancellor, the archbishop of Dublin, the lord chief justice and sir Arthur Savage, who sate upon it day after day for a fortnight together in the latter end of November and the beginning of December, 1628, taking the depositions of a great number of witnesses, wherein the truth of the above mentioned circumstances of this prosecution fully appeared, by the testimony of Mr. William Eustace of Castlemartyn, (father to sir Maurice Eustace, afterwards lord chancellor,) and other unexceptionable persons. *This restored the gentlemen to their liberty though not to their estate*, a considerable part whereof, particularly the manor of Carrick, in the Ranelaghs, had been during their imprisonment passed to sir William Parsons by a patent dated the 4th of August." 4 Car.—CARTE, I. 27.

during the millenium so glowingly pourtrayed by Temple, Clarendon, Leland, and Warner, I might make copious additions—but I forbear, presuming it would be a work of superogation—as the point is, I trust, fully established, beyond the reach of controversy.

I shall close this chapter, with another enormous grievance, which degraded and dishonoured the families of the Catholic nobility and gentry, and caused great depredation on their estates; I mean that rapacious and oppressive tribunal, styled

The Court of Wards.

A very large portion of the exercise of the energies, the talents, and the industry of mankind, results from that holy regard to offspring, which pervades all animated nature, not excepting the most ferocious tenants of the woods; is among the most powerful of the impelling motives of man and beast; and is wisely implanted by our Creator for the best purposes. Men of genuine parental feelings labour, with at least as much zeal, to secure independence and happiness for their offspring, as for their own proper advantage. But as if nothing holy or sacred could escape the violence and virulence of the Irish administration, in its dire hostility to the Roman Catholics, an attempt was made to cut up by the roots this inherent and instinctive principle, by the establishment of the court of wards, whereby the heirs of the Irish nobility and gentry were, on the decease of their parents, placed under the care of some court parasite, or person who bribed the administration, and thus purchased the guardianship. Lord Orrery remarks, that the objections to the court of wards were, that "no man would labour for a child, who, *for aught he knows, may be sold like cattle in the market, even to those who will give most:* for," adds he, "SUCH ABUSES HAVE BEEN TOO OFTEN COMMITTED by those who have enjoyed the bounties of the king."—*Orrery*, I. 59. This statement from Lord Orrery, of the situation of the children of the Roman Catholics, who were "*sold in the market*" *to the highest bidder*, deserves the most marked attention; and coming from the pen of a most rancorous enemy, establishes this point beyond controversy, and exhibits a species of oppression of which probably the world has beheld few examples.

Independent of the education of the heirs, the court of wards had a control over their marriage, of which they made a most iniquitous use; and frequently degraded and dishonoured them, by *selling them* to persons wholly unsuitable in point of character and family.*

In the Trim Remonstrance, the Roman Catholics make the most severe complaints against the exactions, injustice, and oppression of this court, whereby "the heirs of Catholic noblemen and other Catho-

* "The wardship and marriage of the heir were likewise reserved to the crown. These lands and wardships were *usually granted to favourites*, and men of power and interest, who, though they gave security to the court of wards to take due care, as well of the education and maintenance of the heir, as of the good condition of the estate, too often neglected both! *destroyed the woods, and committed horrible waste upon the lands!! brought up the heir in ignorance, and in a mean manner unworthy of his quality!! and*, SELLING HIS PERSON TO THE BEST BIDDER! *matched him unequally in point of birth and fortune, as well as disagreeably with regard to the character, qualities, and figure of the person that was picked out to be the companion of his life!!!*—CARTE, II. 248.

lics were most cruelly and tyrannically dealt withal, destroyed in their estates, and bred in dissoluteness and ignorance."*

The ostensible object of this iniquitous and oppressive court, was to educate the heirs of the great Catholic families in the Protestant religion, and thus "*prevent the growth of popery;*"† and their efforts to accomplish this grand object, reconciled the zealots of that period to the infraction and ruin of the unhappy objects of their care.

In addition to the intrinsic injustice and oppression of this court, it was entirely illegal and unconstitutional—no law having ever been passed to sanction it—and it having been wholly unknown in Ireland, till the 14th year of the reign of James I.‡ when it was arbitrarily established by a mere act of state, that is, of the privy council of Ireland. In England, it had been established by law, and under some restrictions which mitigated its oppression. In Ireland it was under no control or restraint, and its operation was inexpressively vexatious and rapacious.

* *Extract from the Remonstrance of the Catholics of Ireland, presented to his majesty's commissioners at Trim, March* 17, 1642.

The fourth item of their grievances, was

"The illegal, arbitrary, and unlawful proceedings of the said sir William Parsons, and one of the said impeached judges, and their adherents and instruments in the court of wards, and the many wilfully erroneous decrees and judgments of that court, by which the heirs of Catholic noblemen and other Catholics were most cruelly and tyrannically dealt withal; destroyed in their estates, and bred! in dissoluteness and ignorance; *their parents' debts unsatisfied! their younger brothers and sisters left wholly unprovided for!* the ancient appearing tenure of mesne lords unregarded!! estates valid in law, and made for valuable considerations, *avoided against law!! and the whole land filled up with the frequent swarms of escheators, feodaries, pursuevants, and others, by authority of that court"!!*—Plowden, I. App. 84.

† "Another main part of the regal authority was the wards, which anciently the crown took into their own management. Our kings were according to the first institution, the guardians of the wards. They bred them up in their courts, and disposed of them in marriage as they thought fit. Afterwards they compounded or forgave them; or gave them some branches of the family, or to provide the younger children. But they proceeded in this very gently: and the chief care after the reformation was to breed the wards protestants. Still all were under a great dependance by this means. Much money was not raised this way: *but families were often at mercy and were used according to their behaviour. King James granted these generally to his servants and favourites!! and they made the most of them!! so that what was before a dependance on the crown, and was moderately compounded for, became then a most exacting oppression, by which several families were ruined"!!!!*—Burnet, I. 16.

‡ "They urged against the court of wards, that *it was a new court never known in Ireland till* 14 *Jac.; that it had no warrant from any law or statute!!* whereas that of England was erected by act of parliament; that the subject was extremely oppressed thereby, through the multitude of informations against all freeholders from the highest to the lowest, without any limitation of time!! the frequent courts of escheators and feodaries, the destruction of the tenures of mesne lords by illegal finding of them to be in capite!! *the sale of wards, the want of provision for the portions of younger children!! whereby they perished or took ill courses, and the non-payment of debts!! that the wards were neglected!! and whilst the officers of the court raised vast fortunes to themselves; the king did not receive one shilling advantage for twenty times the damage* done his people! that they did not desire any diminution of his majesty's profit, but were willing that the personal service should on all occasions be performed, and a course taken, as well for securing that service and the king's revenue, as for the preservation of heirs and orphans, and the satisfaction of creditors."—*Carte*, I. 517.

PART III.

FROM 1641 UNTIL 1660.

This part of the work is divided into thirteen chapters.

XX. View of the three civil wars in Scotland, Ireland, and England.

XXI. The age of forgery, perjury, fraud, and imposture.

XXII. The pretended conspiracy of 1641.

XXIII. Plan for the extermination of the Catholics of Ireland.

XXIV. Rapacious project for confiscating their estates.

XXV. Nefarious project of the lords justices to drive the Irish to desperation.

XXVI. Confiscation; perjury; subornation of witnesses, &c.

XXVII. View of the spirit of the hostile parties in Ireland.

XXVIII. Cessation of hostilities. Furious and fanatical uproar.

XXIX. Was there really a massacre of the Protestants in 1641? Unparalleled exaggeration.

XXX. Enquiry into the pretended cruelties of the Irish.

XXXI. Barbarous system of warfare pursued by the Irish government. Indiscriminate massacre of the Irish, men, women and children.

XXXII. Final subjugation of Ireland by Cromwell.

This section of Irish history is far more important than any that precedes or follows it. A complexion has been given by the events of this period, to the destinies of millions of human beings, descendants of the parties then engaged in warfare—and consigned the mass of the nation to a state little less abject than that of the unhappy Africans in the West Indies, while it has enabled a haughty, despotic, and cruel minority to erect themselves into a lordly aristocracy, and trample their fellow subjects in the dust.*

There is more falsehood and imposture interwoven in this period, than ever found place in any other history of ten times the extent—and more pains have been taken to suppress truth, and give currency to forgery and perjury, than the world ever witnessed before or since

Hence a writer who undertakes to treat on the events of this period, necessarily labours under very extraordinary disadvantages—disadvantages which would be insuperable, but for a very fortunate circumstance, that a large portion of the history bears its condemnation stamped on its forehead in conspicuous characters by its absurdity, inconsistency and contradictions.

* Let it be remembered that this passage was written in the year 1819, from which time the state of the nation has been materially changed. But much remains yet to be done. Ages of retribution would scarcely atone for the endless succession of misery inflicted on Ireland during the ages of British domination up to the repeal of the penal code, by insatiable rapacity, fraud, perjury, and in a word every conceivable species of misgovernment, whereby one of the nations most highly blessed by nature has been rendered one of the most wretched.

CHAPTER XX.

Three civil wars. Different degrees of provocation. Different results.

"*Dat veniam corvis; vexat censura columbas.*"—JUVENAL.

He must be a very superficial reader or observer, who requires to be informed how very different the rewards or punishments which in this life are bestowed on acts absolutely similar—or how frequently an act which brings ruin on one man, elevates another to the highest pinnacle of worldly grandeur and prosperity. Instances in illustration of this idea are of frequent occurrence in public and private life.

> "The ways of heaven are dark and intricate.
> Puzzled in mazes, and perplexed with errors,
> Our understanding traces them in vain,
> Lost and bewilder'd in the fruitless search."—ADDISON.

The three kingdoms subject to the crown of England, were the theatres of civil war, almost cotemporaneously. The consequences to the actors, during their existence, and to their fame with posterity, were as different as light and darkness. The Irish, who had every possible justification,—on whom had been perpetrated almost every species of outrage; who were goaded into civil war by an uninterrupted series of depredation and oppression, paid a most ruinous forfeit in fortune and in cotemporaneous and posthumous fame: while those, whose grievances were comparatively insignificant, and who, of course, had incomparably less justification, attained, living and dead, the highest honours, and many of them aggrandized themselves in point of fortune and worldly honours, to the full extent of their utmost wishes. This is not exactly as it should be: it is almost too late completely to correct the prevalent errors on the subject, to wash away the foul stains which sordid avarice, religious bigotry, blind and infuriated fanaticism, and national rancour, in a word all the hideous passions that degrade and dishonour human nature, impressed upon the sufferers. But though I may not therefore fully succeed, yet the attempt to effect these great objects can hardly be otherwise than useful.

Charles I. a bigot and a despot by education, wickedly endeavoured to force a new religion on the Scotch. In this, he only followed the examples of his predecessors, Henry, Edward, Mary, and Elizabeth, who had successively either forced or persuaded their servile parliaments four times, in the course of about thirty years, to make radical changes in the established religion.

Let it be observed, however, that the new religion was not the antipodes of the old one, as had been the case with the changes of Edward, Mary, and Elizabeth. The new religion bore many kindred features of the old; in points of doctrine they were nearly sisters,

although there was a marked difference in the church government. But the difference between the religion which Edward, Mary, and Elizabeth found "*by law established*," and the one they "*established by law*," was incalculably greater than between the religion of Scotland at the accession of Charles I. and the religion he attempted to force on his subjects.

An important consideration must not be passed over here. The Scotch laboured under scarcely any other grievance than the contemplated innovation in their religion: their persons and property were sacred.

They resisted the despotic and wicked interference between them and their Maker. They were perfectly justified in the eyes of heaven and their fellow-men. It is not given by the living God to any of the sons of men to force the religious worship of their fellow-men; and the attempt to change religious opinions by legal coercion, is as transcendently absurd, as would be the effort to "change the hue of the dusky Ethiop." Brutal force, as has been long since observed, may coerce men into apparent conformity; but it never yet made a convert,—and never will; it is fated to produce only martyrs or hypocrites.

The evil destiny of Charles induced him to raise forces to subdue the refractory Scotch. They obeyed the first law of human nature,—the law of self-preservation. They raised forces to defend themselves; finally triumphed over the aggressor; and extorted from him a grant of every demand they chose to make. He was totally foiled; and retired from the contest, defeated, and overwhelmed with shame and disgrace.

What has been the result as respects the Scotch? They were honoured during their lives; were rewarded by the English parliament with three hundred thousand pounds, and twenty-five thousand pounds monthly, for "*their brotherly assistance;*" and now occupy a place in history as men who embarked in a holy cause, and were resolved to die or be free.*

This very extraordinary proof of "brotherly affections" has attracted the attention of few readers of English history. The money paid to the Scotch on this occasion, is generally confounded with the arrears paid them about five years afterwards, when they delivered Charles I. into the hands of the parliament, after he had fled to their camp before Newark, on the final downfal of his affairs. This, as appears from the annexed note, is a very great error.

Thus that very parliament which so rancorously pursued the Irish to their utter ruin, and to the scaffold, for resistance to the most odious tyranny and oppression, lavished the wealth of their constituents on

May 21, 1641.

* "Resolved, &c. That the whole arrear of 120,000*l.* be presently paid to the Scots, out of which the due debts of the counties are to be deducted; *and for the brotherly assistance of* 300,000*l.* it shall be settled and secured by the kingdom to them."—Nalson, II. 255.

"As a testimony of their *brotherly affections*, the two houses had frankly undertaken to give them a gratuity of three hundred thousand pounds, over and above the twenty-five thousand pounds the month, during the time their stay should be necessary."—Clarendon's E. I. 209.

the Scotch, for similar resistance, without a tenth part of the provocation.

A singular circumstance occured, on taking the vote for the "*brotherly assistance.*" Mr. Jervase Hollis, in a debate on the best and speediest means of their payment, having said, "that he knew no better or fitter than by English arms to expel them the kingdom," was called to the bar, and expelled the house.—FRANKLAND, 900.

Times soon changed. The Scotch, then such favourites, fell into disgrace in a few years. By a vote of the house of commons, ten years afterwards, *fifteen hundred of the prisoners of that nation were sold or given away to the Guinea merchants, to work in the mines.**

In 1642, a civil war took place in England, on various grounds, into the detail of which it is irrelevant to my present purpose to enter. That Charles I. was, in the first fifteen years of his reign, an arbitrary despot,—that the proceedings in the Star-Chamber Court were both tyrannical and cruel,—that the fines in that court were oppressive, the punishments frequently most barbarous, the exactions of ship-money, tonnage, and poundage, illegal and unjust; and that they required and justified resistance, none but a cringing slave, deserving of the despot's lash, will deny. But it is impossible to read the history of that dark and disastrous period, with calmness and candour, without being convinced that all the substantial grievances of the nation were removed, and amply-adequate mounds established to guard against a recurrence of them, before a single soldier was raised, a single drop of blood shed, or a single step taken towards civil war or rebellion. In no country whatever was liberty more adequately secured, than it was by the laws enacted from the commencement of the Long Parliament, in November, 1640, till February, 1642. With every demand of Parliament during that period, Charles complied; sometimes, it is true, very reluctantly, and with an ill grace. But, until they claimed a right to exercise the power over the militia, which would have been a virtual abandonment of the most important item of the regal authority, he had refused them nothing.

The English, nevertheless, took up arms. Civil war spread its horrors over the nation, with its hideous train of demoralization and devastation. Torrents of blood were shed; conflagration, rape, rapine, and murder, prowled at large; the foundations of society were shaken; and the melancholy result was, to place the sceptre in the hand, and the crown on the head, of Cromwell, an unprincipled, canting hypocrite; and, after his death, and the unconditional restoration of Charles II., to establish passive obedience and non-resistance, by an odious positive law, under one of the most licentious and profligate monarchs that ever disgraced the throne of England, with scarcely a virtue to redeem him from the reprobation of posterity. And thus the leaders of that large, powerful, and respectable party that struggled for the

* *September* 20, 1651.

"Upon the desire of the Guinea merchants, fifteen hundred of the Scots prisoners were granted to them, and sent on shipboard, to be sent to Guinea, to work in the mines there."—WHITELOCK, 485.

liberties of the English nation, actually paved the way for a far worse state of things than existed at the period when the contest commenced. To their intemperance, imprudence, and deficiency of political foresight, their country owed all its sufferings under the scandalous reign of Charles II. the very worst of the despicable race of the Stuarts. Had they stopped short, when they drew the teeth, and pared the nails, of despotism,—when they traced the strong line of demarcation between tyranny on one side, and anarchy on the other, they would have deserved eternal remembrance, and have conferred lasting and inestimable blessings on their country. Their improvidence places at their door, all the havoc and ruin, the demoralization, and destruction, of a seven years' war,—the failure of a noble experiment in favour of the rights of human nature, as well as the triumph they afforded to the friends of absolute power, by the odious abuse of liberty. These stains can never be washed away.

It requires but little reflection or observation, to discover a considerable resemblance between the issue of this contest, and that of the revolution in France in 1789: and that the leaders in both countries committed exactly the same species of error, with results not very dissimilar. Had the parliament of England stopped short at the point above stated, the liberties of that nation would have been placed in 1642, on a far better and more secure foundation, than they acquired at the so-much-extolled revolution in 1688, when, on the abdication of the bigot James, they called in a foreign prince to rule them, with scarcely any stipulation in favour of liberty. And it is equally obvious, that had the French leaders rested content with the constitution which bestowed on the king a veto on the acts of the legislature, similar to what exists in England or the United States, the nation and the world at large would have been prodigiously benefited: and an incalculable waste of human happiness and wealth, rivers of blood, and millions of lives, would have been spared. But, according to the wise aphorism of the ex-president Adams, "Every age will make experience for itself."

What, nevertheless, has been the result as to the actors on this stage?

They are to this day regarded with the highest veneration, by the most enlightened part of mankind. Their numerous follies, their vices, their crimes, are buried in eternal oblivion. Their resistance to lawless tyranny has immortalized them.

The Irish, at the same period, suffered almost every species of the most grinding, odious, and revolting despotism that can be conceived. They were subjected to heavy penalties, for worshipping God according to the dictates of their consciences, or for not attending on a worship which they believed heretical; they were robbed of their estates by high-handed and flagitious tyranny and fraud; they were subject to martial law, with all its horrors, in time of profound peace; their juries were ruinously fined, and mutilated in their persons, for not finding verdicts against the plainest dictates of justice; their churches were demolished, or rapaciously seized by their oppressors; their children were torn from their natural guardians, and transferred to the care of worthless strangers, who squandered their estates, and brought them up in habits of licentiousness:—in a word, it is difficult to conceive of any species of oppression which they did not endure.

They were goaded into insurrection. And if ever resistance of lawless outrage and tyranny were loudly and imperiously called for—if ever the standard of freedom claimed the sympathies of mankind, the Irish standard had an indisputable title to it. And what has been the result? Their most illustrious families were reduced to beggary; their estates, to the amount of millions of acres, were confiscated; above half a million of the natives were slaughtered, banished, or perished by famine and plague, [PETTY, 18,) the consequence of the ruthless and savage ferocity with which they were pursued by their enemies. They were covered with obloquy and abuse, during their lives; their memory has been detested; and the crimes falsely alleged against them, have been visited upon their descendants to the fifth and sixth generation, in the odious form of the vile code of laws, "*to prevent the growth of popery.*"

The monstrous, absurd, improbable, and impossible legends of the massacre by the Irish, I shall fully investigate in a future chapter. I now confine myself to the simple circumstance of the insurrection itself, divested of all its horrors, real or pretended. And I dare aver, that if ever, from the creation of the world, there was a holy, sacred insurrection,—an insurrection warranted by every law, divine or human, this was preeminently justified. Further: if the leaders of the Irish insurgents, who attempted to emancipate themselves from the tyranny of England, were traitors and rebels, then were William Tell, Maurice, Prince of Orange, Pym, Hambden, and Sydney, traitors and rebels. One step further: if these Irishmen were traitors and rebels, Randolph, Henry, Hancock, Adams, Dickinson, Livingston, Lee, Rutledge, Clinton, and Washington himself, were traitors and rebels; and not merely traitors and rebels, but traitors and rebels of the most atrocious kind; as the difference between the grievances that Washington and his illustrious compeers rose to redress, and those under which Ireland groaned, is very nearly as great as that between the liberty and happiness of an American citizen, and the abject state of the subjects of Turkish despotism. Indeed, if the Irish insurgents were traitors and rebels, then every man, in every age and country, without a single exception, who ever dared to raise his arm against oppression, was a traitor and a rebel.

This is strong language, which will doubtless be in direct hostility with the prejudices of a large portion of my readers. From their prejudices I appeal to their reason and candour; and if the decision be made by these respectable arbiters, I feel no doubt about the issue. For, to confine myself to the American revolution, will any man, not lost to decency or common sense, dare to commit himself, by comparing the grievances of America with those of Ireland?—a three-penny tax on tea, with the court of wards, the star-chamber, the high-commission court, the flagitious plunder of half the province of Ulster, the seizure of 385,000 acres in Lenster, the rapine perpetrated in the province of Connaught, the persecution of their religion, the seizure of their churches, the banishment of their priests, the restriction of their trade, the execution of martial law during a time of peace,—in a word, the endless detail of the most grievous oppression on record? If then the despotic and lawless imposition of a paltry tax on tea, warranted the subject in drawing the sword, and commencing a civil war, surely

the oppressions of Ireland warranted it inexpressibly more. Indeed, it may be averred, and the decision submitted to any bar of enlightened men in Christendom, that were all the oppressions suffered by the American provinces, from the first landing of the pilgrims to the declaration of independence, aggregated into one solid mass, and all the oppressions of England, under the Stuarts, thrown in to swell the amount, they would not equal one tithe of the grievances suffered by the Irish, during the reigns of James I. and Charles I. And it is, moreover, hardly possible to find, in the history of Ireland, from the invasion of Henry II. till the Union, any five consecutive years, in which the Irish had not greater ground for insurrection and resistance to the English government, than England could plead in 1688, or America in 1775 or 1776.

CHAPTER XXI.

The age of forgery, plots, perjury, and imposture. Plot for the murder of certain lords; for the murder of one hundred and eight members of both houses! Oates's plot. Dangerfield. Bedlow. Notorious perjury against Bishop Plunket. Letter dropping.

It is wonderful, "that whenever the faction had need of a plot, some kind person or other was sure to furnish them with one or more, as there was occasion."—Nalson, II. 816.

"Beware of him;
Sin, death and hell have set their marks on him—
And all their ministers attend on him."*—Shakspeare.

"A lie, believed for an hour, doth many times in a nation produce events of seven years continuance."—† *Cardinal* Lorraine.

Although this division of the work was intended to be confined to the nineteen years from the commencement of the insurrection to the restoration, yet in the present chapter, in order to bring the odious subject under one *coup d'œil*, I shall take the liberty to depart from that arrangement, and present a view of some of the various plots fabricated during the whole century for the purpose of destroying the reputation, and affording a pretext to depredate on the property, of the Roman Catholics.

Every age of the world is characterized by some peculiar folly or wickedness, which distinguishes it from those which have preceded, as well as from those which follow, with nearly as much accuracy as the varied features of the face distinguish one man from another.

Any impartial, enlightened reader, called upon to fix the peculiar feature of the seventeenth century, in the wide range of the British dominions, would, without hesitation, pronounce it to have been the age of forgery, perjury, and fabricated plots, contrived for the purpose of overwhelming the innocent in ruin, and enriching malefactors with their spoils.

It is hardly credible, at the present day, when the dire passions which actuated so large a portion of the community in England and Ireland, during that period, have wholly subsided, and are now almost inconceivable, what a number of these contrivances were employed; how regularly they succeeded each other; what mischievous consequences they produced; and yet how excessively stupid the most of

* This is an excellent description of Titus Oates—though applied to some equally detestable villain.

† The cardinal did not place his position on the strong ground to which it might lay claim. Some of the "lies" told in 1641, 2, 3, and 4, have produced consequences for nearly two centuries, and their operation may extend to centuries to come, and to the posterity of children yet unborn.

them were. Many of them, which were devoured with greedy ears by the great and little vulgar, were so ridiculous, so absurd, and so utterly improbable, that, at the present day, they would not impose on a gang of swine-herds.

Previously to entering into the examination and detection of the miserable pretended conspiracy of 1641, which led to scenes of horror, desolation, and massacre of the Irish, that chill the blood in the veins, I shall present various facts, to satisfy the reader that the fabrication of pretended plots was a regular trade, pursued upon a most extensive scale; was one of the levers by which the movements of the political machine were regulated; and that consistency, coherence, probability, or even possibility, were not necessary to ensure success.

I have already established the efficacy of this infamous system, in producing confiscation in Ireland; and how thousands were involved in ruin, and their posterity for ages consigned to poverty, by the dropping of a wretched catchpenny letter in the reign of James I. Tyrone, a nobleman of high grade and princely possessions among the Irish, after having rendered important services to the state, and received a wound, fighting in its defence against his own countrymen, was almost immediately charged with a conspiracy, on grounds the most frivolous and contemptible, merely from the lust of spoliating his immense estate. The same vile course was pursued with Shane O'Nial, whose estate was finally confiscated, after he was basely assassinated, at the instigation of the lord deputy.

The low herd of hardened wretches, who perjured themselves by swearing to those plots, as well as those of the higher orders, equally hardened, who suborned them for this execrable purpose,* felt no "compunctious visitings" of remorse, that torrents of blood were occasionally shed, through the means of their perjuries,

"Their conscience, wide as hell,"†

suffered no nausea at the immolation of hosts of innocent victims on the bloody altars of their ambition, their avarice, their fanaticism, and their vengeance.

Many of the instruments used on these occasions, were the basest and most wicked of mankind,—wretches‡ elaborated, in prisons, in stews, and other hot-beds and nurseries of villany, to the last degree of turpitude of which man is capable. Their stories were so contradictory, that the falsehood and perjury were manifest to the most cursory observer: but such was the general depravity and delusion of the times, and such the devouring thirst for the blood of the victims, that no profligacy in the witnesses, no contradiction, no improbability, no impossibility in the evidence, no degree of immaculate innocence in the objects of their rage and malice, could save them from destruction. Accusation and condemnation were, in almost every instance, synonymous terms.

* "Leaders so little scrupulous, as to endeavour, by encouraging perjury, subornation, lies, imposture, and even by *shedding innocent blood*, to gratify their own furious ambition."—Hume, IV. 331.

† Shakspeare.

‡ Oates, Dangerfield, and Bedlow.

In those days, conspirators were accustomed, if we believe the depositions of some of the plot-contrivers, to stand in the open streets and highways, and converse about their conspiracies and treasons, as publicly and unreservedly as at present we convey to each other the intelligence of the price of stocks, the state of the weather, or any of those important nothings which form so large a portion of what is called conversation. This free and easy system was quite convenient to the informers, as it saved them much trouble in searching for evidence.

Plot for the destruction of certain members of the House of Lords.

On one occasion the English house of lords was most seriously alarmed by the important information given by an *Italian*, that he heard an *Irishman*, *in the street*, inform a certain Francisco, *in Italian*, that a plot was laid to kill some members of that house, particularly the earls of Northumberland, Essex, Holland,* &c. The house of lords attached great importance to the affair, and summoned the parties to the bar; but it ended in smoke, after the purposes for which it had been fabricated were answered.

Plot for the assassination of one hundred and eight members of both houses of Parliament.

Of all the informers of those days, a certain Thomas Beal, a taylor, merited the palm. None of the confraternity could stand a comparison with him. He gave minute details of a plot, in which one hundred and eight persons had engaged to murder as many members of parliament. The wages they were to receive for this pleasant and amusing business, were very moderate, particularly for the commons, who were not valued at more than twenty per cent. of the lords. The latter were to be paid for at the rate of ten pounds per man: but the members of the lower house were valued at only forty shillings.† The feats

* "Jan. 11, 1641–42. This day, one Francis Moor, an Italian, gave in an information to the house of lords, that yesterday he stood talking with an Irishman, who lives with the lord viscount Loftus, *in the street*, and overheard ONE BRIAN KELLY, AN IRISHMAN, *servant* to the earl of Arundel, SPEAK IN ITALIAN!!! to one signior Francisco, an Italian, and say, that there was a plot laid to kill some lords of the parliament; and in particular named the earl of Northumberland, the earl of Essex, the earl of Holland, the earl of Pembroke, and the earl of Leicester.

"Hereupon, it is ordered, That the said Brian Kelly and signior Francisco shall be forthwith apprehended, and attached by the gentleman usher attending this house, and brought as delinquents to the bar, which was done accordingly: and Brian Kelly being brought to the bar, and charged with the words, he denied that he ever spake any such words. Thereupon Moor was called in to confront him, and upon oath averred what he had formerly informed."—NALSON, II. 843.

† "House of Lords, Nov. 15, 1641. Thomas Beal, a taylor, dwelling in White-Cross street, was called in, and made a relation of the whole matter, with all the circumstances, which were as follows:

"That this day, at twelve of the clock, he went into the fields, near the Pot-house: and walking over a private bank, he heard some talking, but did not see them at first: but finding them by the voice, he coming within hearing of them, understood they talked of state affairs: and going nearer them, he heard one of them say, that it was a wicked thing, that the last plot did not take; but if this goes on, as

were to be performed as the members were coming down stairs from the parliament house, or taking their coaches, or going into their lodgings!!!

The idea of a large body of "*brave gallants*," not, as Sir John Falstaff says, "*in Kendal green*," but "*in scarlet coats*," for the purpose of rendering themselves conspicuous, engaged to poignard an equal number of members of parliament coming out of the house, or

in hand and intended, they shall all be made. Heard them say, that there were *an hundred and eight men appointed, to kill an hundred and eight persons of the Parliament, every one his man!!!!!* some were lords, and others were to be members of the house of commons, all puritans! and the sacrament was to be administered to the hundred and eight men, for performing of this!!! and those that killed the lords were to have *ten pounds!!!* and those that killed the members of the house of commons, *forty shillings!!* That Gorges, being the thirty-seventh man, had taken the sacrament on Saturday, to kill one of the house of commons, and had received forty shillings! That one Phillips coming to London on Sunday night late, was charged to be at my lord's chamber, where was only my lord, father Jones, and father Andrews: he also had his charge, and five more with him, he being the hundred and eighth man! and the last, as he thought.

"That Phillips had been in Warwickshire and Buckinghamshire, with letters: and that he delivered letters to Mr. Sheldon, who gave him his dinner and a piece for his pains, charging him to make haste to London again, and giving him letters to deliver to my lord.

"That Dick Jones was appointed to kill *that rascally puritan, Pym!* and that four tradesmen were to *kill the Puritan citizens which were parliament men.*

"That on the same day, being the 18th of this month, when the city shall be in a tumult, there shall be risings in six several parts of this land, by the papists; viz. in Warwickshire, Worcestershire, Buckinghamshire, Lancashire, and two other places which he remembers not.

"That those that were to kill the lords were *brave gallants in their scarlet coats!!!* and had received every man ten pounds a-piece!! and when that was gone, they might come and fetch more.

"That this was to be done either *coming down stairs!!!* or *taking their coaches!!* or *entering into their lodgings!!* or any other way, as they should see opportunity.

"That although all were not killed, yet the tumult would be so great, that it would prevent sending to Ireland! and that was father Andrews his wit, to prevent sending thither; because if they prevailed there, they should not have cause to fear here!"—Nalson, II. 646.

"Nov. 16, 1641. The lords and commons assembled in parliament, having received informations of dangerous designs and practices, by priests and Jesuits, and ill-affected persons, to disturb the peace of this state, and the proceedings of parliament, and to attempt upon the persons of many of the members of both houses; and well knowing that there is no way to prevent the mischief which the malice of such men may suddenly bring upon the realm, to the utter subversion of our religion, laws, and liberties, but by putting the kingdom into a posture of defence, and so to be ready, upon all occasions, to oppose force to force."—Nalson, II. 649.

"The commons acquainted their lordships, that they have discovered some things further concerning the plot which was related by Beal; for, upon examination, they are informed, that there are two such priests as father Jones and father Andrews! Jones, they understand, is here in town, at the earl of Worcester's house! and Andrews is described to be near fifty years of age, and uses to come much to sir Basil Brooke's house!

"The house of commons further thinks fit, that a declaration be made that whosoever of the hundred and eight men, designed to do this mischief, shall come in and discover the same, both houses will be humble suitors to the king, that they may be pardoned, and they shall be well rewarded."—*Ibid.*

going into their carriages, or into their lodgings, the major part for only forty shillings a head, would form an admirable episode in baron Munchausen. But, absurd and ridiculous as it was, the "greedy maw" of public delusion and prejudice cheerfully swallowed it as suitable refection for its devouring appetite.

Shales's plot.

A plot for which sir Henry Beddingfield was apprehended, is equally absurd and nonsensical, though not so much detailed. It is impossible to conjecture what it means, from the deposition* of the informer who communicated the important information. But absurd and contemptible as it was, it excited great alarm—and was the subject of parliamentary discussion. It is adduced here merely to display the folly and stupidity of the contriver, and the encouragement afforded to informers.

Plot in favour of Lord Strafford.

On the 11th of Jan. 1641–2, when Lord Strafford's fate was depending, a great alarm was excited in both houses of parliament, and generally in the city of London, by the production of two anonymous letters against his enemies, and threatening them with destruction.†

* "William Shales, sergeant of the foot company under the command of sir Arthur Loftus, knight, saith, that about the latter end of April last, he being then in Norfolk, at Oxborough hall, in the house of sir Henry Beddingfield, the said sir Henry, hearing that this examinant was lately come out of Ireland, sent for him into his garden, whither when he came, he found the said sir Henry walking with one Poole, (whom this examinant supposeth was a priest) and saith, that as soon as he came into the said garden, the said sir Henry asked him whether he knew how the state of Ireland then stood? To which the examinant said, that he thought that all things were quiet and at peace there. Why (quoth sir Henry) doth the army there do nothing? To which the examinant replied, that they carried themselves quietly, and that any man might walk in Ireland with a thousand pounds, and a wand only in his hand. He saith also, that the said sir Henry told him, that he was about to take a house in Kilkenny, of one of the Butlers, for that there was no safety in England for any of his religion! and asked of the examinant, whether there were any good hawking thereabouts!! To which the examinant said that there was. Then the said sir Henry said, that now his mind was altered, and that he meant to stay in England; and added, that he did believe, that before Christmas day next, there should be seen such combustions in England and Ireland, as the like were never seen before; and thereupon cursed the Scots as the authors of these troubles.

WILLIAM SHALES."

Jurat. Coram nobis,
JAMES WARE,
ROBERT MEREDITH.

"Whereupon it was ordered, that sir Henry Beddingfield should be sent for in safe custody by the gentleman usher of the house; and none permitted to speak with him, but in the presence of the messenger; and that his study should be sealed up by the two next justices of the peace, till the further pleasure of the house be known."—NALSON, II. 661.

† "To the worshipful and my much honoured friend Orlando Bridgman, Esq., a burgess of Parliament, at his chamber in the Inner Temple, these present.

"Sir,

"We are your friends. These are to advise you to look to yourself, and to advise

Among other miserable tales contained in these letters, one was, that 10,000 Protestant ministers were ready to unite with the Roman Catholics, to avenge the dishonour of the bishops in being committed after their celebrated protest!!

Forged letter respecting the pope's interfering with the English parliament.

A number of priests, condemned to death for exercising their functions in England, contrary to the statute, were reprieved by the king; their execution was called for by the parliament. In order to accelerate their fate, and to preclude the chance of escape, a letter was forged and presented to parliament as having come from Venice, in which the pope threatened to invade Ireland, unless a change of measures took place;* for whenever any sinister object was to be accomplished,

others of my lord Strafford's friends to take heed, lest they be included in the common calamity. Our advice is, to be gone, to pretend business, till the great hubbub be past. *Withdraw, lest you suffer with the Puritans:* we intreat you to send away the inclosed letter to Mr. Anderton, inclosed to some trusty friend, that it may be carried safely, without suspicion, for it concerns the common safety. So desire your friends in Covent-Garden.

"January 4th, 1641–2."†

"The inclosed was directed,

"To the worshipful, and my much honoured friend Mr. Anderton, these:

"Sir—Although many designs have been defeated, yet that of Ireland holds well; and now our last plot works as happily as that of Ireland. We must bear with something in the man. His will is strong enough, as long as he is fed with hopes. The woman is true to us, and real: her council about her is very good. I doubt not but to send you by the next, very joyful news; for the present *our arch enemies, Pym, Hampden, Strode, Hollis, and Hasterigg are blemished, charged for no less than treason. Before I write next, doubt not but to have them in the tower, or their heads from their shoulders!* The solicitor and Fiennes and Earl, we must serve with the same sauce: and in the house of lords, the lord Mandeville is touched: but Essex, Warwick, Say, Brooke, and Paget, must follow, or else we shall not be quiet. Falkland and Culpeper are made friends to our side, at leastwise they will do us no hurt. *The Protestants and Puritans are so divided, that we need not fear them.* The Protestants in great part will join with us, or stand neuters. While the Puritan is suppressed, if we can bring them under, the Protestants will either fall in with us generally, or else if they do not, they are so indifferent, that either by fair or foul means, we shall be able to command them. The mischievous Londoners, and the apprentices may do us some hurt for the present; but we need not much fear them. They do nothing orderly but tumultuously; therefore we doubt not much, but to have them under command after one brunt; for our party is strong in the city, especially Holbourn in the new buildings and Westminster. We are afraid of nothing but the Scots appearing again; but we have made a party there, at the king's last being there, which will hold their hands behind them, while we act our part at home. Let us acquit ourselves like men, for our religion and country, now or never. *The king's heart is Protestant; but our friends can perswade him, and make him believe any thing!* He hates the Puritan party, and is made irreconcileable to that side; so that *the sun, the moon, and the seven stars are for us: There are no less than* 20,000 *ministers* in England, the greater half will in their places be our friends, to avenge the bishops' dishonour! Let our friends be encouraged; the work is more than half done.

Your servant, R. E."‡

* "Upon Saturday, February 26, 1641, secretary Nicholas sent a letter to the house of commons, which he had received lately from a *great person in Venice,*

† Idem, 836. ‡ Nalson, II. 836.

forged letters and plots were called into operation, and always with complete effect. The letter carries the stamp of forgery in indelible characters.

Plots of the popes, cardinals and Jesuits, to destroy the Protestant religion.

However incredible it may appear, it is nevertheless true, that many well-meaning Protestants have most seriously believed, that the religious divisions which arose in Europe after the reformation, were produced by the plots and management of the Roman Catholics, particularly the Jesuits; and that from this source sprang the Puritans, the most violent enemies the Roman Catholics ever encountered!!! To cap the climax, it is asserted in grave histories, Carte's and Nalson's, for instance, that the solemn league and covenant, for "*the extirpation of popery*,"* &c. was a trick of the Roman Catholics!!!!!

A letter obviously fabricated, and pretended to have been written by a Jesuit of the name of Malt, at Madrid, to one Heth, who had become a Protestant, or who, according to Nalson, pretended to be a Protestant, for the purpose of exciting divisions among the Protestants, contains the following paragraph:

"Brother,

"Hallingham, Coleman, and Benson, have set a faction among the German heretics, so that several who have turned from us, have now denied their baptism, which, we hope, will soon turn the scale, and bring them back to their old principles. This we have certified to the councils and cardinals, that *there is no other way to prevent people from turning heretics, and for the recalling of others back again to the mother church, than by the diversities of doctrines!!!*

"SAM. MALT."—Nalson, I. Int. xlviii.

Heth was tried and condemned; "and for three days brought to the market-place at Rochester, where he stood by the high-cross with a paper before his breast, in which were written his crimes; *then he was pilloried; and on the last day his ears were cut off, his nose slit, and his forehead branded with the letter R. and he was condemned to indure perpetual imprisonment!!!* but it lasted not long; for a few months after, he died suddenly, not without suspicion of having poisoned himself."—*Ibid.*

It is almost too ludicrous for comment, but it must not be passed over, that on the assertion that the three Jesuits, whose names are specified, have "set a faction among the German heretics," who "have

giving him to understand, that *the pope of Rome was much incensed at the proceedings of this parliament against popish priests and Romish recusants; and if they so proceeded, his holiness would cause an army to be raised, and sent into Ireland*, and that the pope takes it ill that the parliament will not discharge the seven priests whom his majesty hath reprieved."—Rushworth, IV. 558.

* "It is observable how this covenant was resented abroad by Papists and Protestants: *by Papists with infinite joy, in hopes it might oblige his majesty and successors to detest that religion whose zealots have been authors of such an intolerant covenant as was inconsistent with monarchy!!!* The priests and Jesuits from Doway and other seminaries, came over in great numbers upon that incouragement, hoping to find favour; insomuch that his majesty was forced by rigorous proceedings to force them to retire. By the Protestants the covenant was received as his majesty's public ministers abroad gave him an account, with *most offensive scandal and grief*."—Nalson, I. 29.

denied their baptism," Nalson makes a note, in which he unqualifiedly asserts, that "*the Jesuits were the authors of the sect of anabaptists!!*" [Idem, xlvii.] This, truly, displays a most wonderful degree of sagacity. It is difficult to say to what extent a man may carry his credulity, who reposes faith in such a puerile conceit.

"The reader," observes Dr. Nalson, with profound wisdom, "is desired seriously to observe, that the Jesuits, pope, and cardinals have laid this down as a maxim, *that divisions and separations are the most effectual way to introduce popery, and ruin the protestant religion.*"*—Idem, xlvi.

He further gravely informs us that the Roman Catholics "*joined hands with the Puritans*"† to destroy the established religion!! This is a bright idea, and about as probable as that Bonaparte set Moscow on fire—or that the Cortes of Spain called in the aid of the duke of Angouleme.

Carte has copied the silly story of the origin of the covenant having been popish; that it was received with joy by the papists!‡ and that in consequence of it, numbers of priests and Jesuits came over to England!

"*A large particular discovery of the plot and treason against the king, kingdom, and Protestant religion, and to raise the Scottish wars.*"

Such is the caption of a long, desultory narrative of a plot, pretended to be discovered in 1640, by one Andreas ab Habernfield, at

* "What is observable in this narrative is the original of separate congregations, of extempore prayer, the vilifying the public church service, stiling it English mass, the pretences to the Spirit, the denying the king's supremacy, despising lawful ordination, and licenses to preach in stated parochial congregations, the juggling people out of their money and their loyalty, *are all arrows that originally came out of the Romish quiver!* and that there can be no doubt, but ever since this man's success, the pope and college de propaganda fide, the Jesuits and priests have been industrious to improve this advantage, and to stock us with disguised emissaries, who *increase our differences, and exasperate all the separations against the church of England, in hopes by our division to destroy both!!*"—Idem, xliii.

"From this narrative we may observe, that *the chief rise and original of our unhappy divisions and separations is to be fetcht from the devilish policy of the Papists!!* counterfeiting a design to advance the reformation of the Protestant religion to a greater purity; that the *pope, cardinals and Jesuits, have been always instrumental in raising these divisions and separations!* and that they judge this the most effectual way to introduce popery; that they hate our bishops and prayers, and delude innocent and unwary people into a dislike and hatred of them; that there is no way to discover them, but by their sowing these seeds of separation and sedition; and that therefore it is the interest of all true Protestants to unite with the church of England, and thereby give that deadly blow to the Romanists, which the bishop here seems prophetically to foretel, and to quit these separations, which otherwise will hazard the ruin of Protestant religion, by the introduction of popery."—*Idem*, xlviii.

† "*The papists who early perceived there was no such certain way to ruin the Reformation* * * * laid hold immediately of this opportunity, and entering in at the back door of schism and separation, *joined hands with the non-conforming Puritans, to bring ruin and desolation upon the church and kingdom.*"—Nalson, I. introd. xxxviii.

‡ "This covenant gave great offence to the French and other Protestant churches abroad, fearing it would bring an indelible scandal upon their religion, and alienate the minds of princes from it; *but as its original was popish, it was received with infinite joy by the papists.*"—Carte. I. 89.

the Hague, and communicated to William Boswell, an agent of the British government there. It occupies no less than fourteen folio pages in Nalson's Collections, and is as implicitly credited by the historian, as if it had been established by the most unexceptionable evidence; and yet it carries fraud, falsehood, and forgery stamped on its forehead in unerring characters.* The idea of a Jesuit preparing a "*poisoned nut*" for the purpose of destroying king Charles, and "*often showing*" this very precious article to a suspicious stranger, in "*a boasting manner*," has quite the air of an Arabian Tale, and must excite contempt for the folly, and indignation for the wickedness of the contriver.

"Snares are prepared for the king. For this purpose the present business was so ordered, that very many of the English should adhere to the Scots; that the king should remain inferior in arms, who thereupon *should be compelled to crave assistance from the Papists*, which yet he should not obtain, unless he would condescend unto conditions, by which he should permit universal liberty of the exercise of the popish religion; for so the affairs of the Papists would succeed according to their desire. To which consent, if he should show himself more difficult, there should be a present remedy at hand: for the king's son growing now very fast to his youthful age, (who is educated from his tender age, that he might accustom himself to the popish party,) the *king is to be dispatched; for an Indian nut, stuffed with most sharp poison, is kept in the society!!!* (*which Cuneus at that time showed often to me in a boasting manner!!!*) wherein a poison was prepared for the king, after the example of his father!"—Frankland, 863.

This plot was communicated to archbishop Laud by Mr. Boswell—and was by the archbishop imparted to the king as a matter of extraordinary importance. The most superficial reader cannot fail to notice one gross inconsistency in it. While the heaviest charge against the king, and more particularly against the archbishop, was their secret attachment to, and encouragement of, the Roman Catholic religion, which, it was asserted, all their measures were calculated to introduce, it appears, according to this veracious informant, that the Jesuits were plotting to destroy them in order to advance that religion!!

Plot for the destruction of Oliver Cromwell, protector.

In Thurloe's state papers, is a letter giving an account of a plot,†

* A portion of the heads of this grand conspiracy follows:—

1. "That the king's majesty and lord archbishop are both of them in great danger of their lives.

2. "That the whole commonwealth is by this means endangered, unless the mischief be speedily prevented.

3. "That these Scottish troubles are raised, to the end, that under this pretext the king and archbishop might be destroyed.

4. "That although these Scottish tumults be speedily composed, yet that the king is endangered, and that there are many ways by which destruction is plotted to the king and lord archbishop."—Nalson, I. 471.

† "I met with a poore honest man, a feltmaker, who as he was comeinge from Beckington to Bristoll, with a parcell of hatts, was constrained to rest himselfe under a stone wall, joyneing to the highway; and as he satt ther, two gentlemen-like men met each other, and after a salutation past betweene them, the one asked the other what newes. The other answered, that he knew none. Thereupon one replyed, and tould the other, seeinge he was his speciall friende, he would acquaint him of very good newes; and that was, that he sayd he came lately from Southampton, where he met with a French merchant, borne in France, of English parents, and his wife, a French woman, whose brother was a Jesuite; and did affirme, that

overheard by a man who had "retired to rest under a stone wall," for the destruction of the protector, intended to strengthen the hands of that hypocrite. It excited considerable sensation, and answered the purpose intended.

Titus Oates's plot.

Shaftesbury, one of the most profligate politicians that ever disgraced or embroiled a nation, was incessant in his endeavours to have James II. excluded from the succession to the throne of Great Britain —and by his consummate craft and influence in parliament, carried a number of measures, which tended towards that end. Nothing could so completely promote that object as overwhelming the Roman Catholics with obloquy, and exciting against them the hatred and abhorrence of their fellow subjects. To this sinister purpose all his talents and energies were directed. In this career he was not withheld by any scruples, or any nefarious consequences, even the shedding of innocent blood. His conscience was of the most accommodating character, and was seared as with a hot iron against the inroads of remorse. It never unkindly interposed any scruples in his way. To him the end in view, however unjust, sanctified the means, however atrocious or wicked.

Under the auspices of this Machiavel, Titus Oates, one of the worst of men—a protegé worthy of such a patron—anno 1678, lodged information of a plot against a number of the most respectable of the Roman Catholic nobility and gentry of England, in conjunction with the Jesuits in foreign countries, for the murder of the king—the destruction of the established religion—and the introduction of that of the conspirators.* There was the utmost incoherence in the story. He was guilty of the most manifest perjury; as, at different times, he

certaine Jesuits had taken an oath and the sacrament, and thereby bound themselves to kill the lord protector, or to loose their owne lives!!! and that beinge done, he sayd there would be greate confusion and fighting for the government, by which meanes Charles the second's party beinge greate, would strike in, and carry the cause. The other partie replyed, it would doe well, if it could be effected; only hee could wish the common people might not be made to suffer much: but the other told him, the kingdome would be brought into a poore condition. After this, they saluted one another, and departed. The poore man overhearinge all this discourse, he was in such a tremblinge, that he durst not appeare to speake, for feare of mischiefe, because they had uttered such horrible thinges; but when they were gone, he lookt after them, but knew them not; only weare in a gentile habit, and gray cloathes."—Thurloe, II. 178.

* "Oates, the informer of this dreadful plot, was himself THE MOST INFAMOUS OF MANKIND. He was the son of an Anabaptist preacher, chaplain to colonel Pride; but having taken orders in the church, he had been settled in a small living by the duke of Norfolk. He had been indicted for perjury, and by some means had escaped. He was afterwards a chaplain on board the fleet, whence he had been dismissed, on complaint of some unnatural practices, not fit to be named." —Hume, IV. 315.

"Such bountiful encouragement brought forth new witnesses. William Bedlow, *a man, if possible, more infamous than Oates!!!* appeared next upon the stage. He was of very low birth; had been noticed for *several cheats, and even thefts!* had travelled over many parts of Europe, *under borrowed names!* and frequently passed himself for a man of quality, and had endeavoured by a variety of lies and contrivances, *to prey upon the ignorant and unwary!*"—Idem, 322.

swore to things diametrically opposite to each other—one of which must necessarily, and both probably, have been false. His testimony was contradicted in the most unequivocal manner by numbers of witnesses of perfectly irreproachable character. But such were the delusion and insanity of the moment, that every thing he averred was received with as much faith as a true Mussulman receives the koran.*

* "The wonderful intelligence, which Oates conveyed both to Godfrey and the council, and afterwards to the parliament, was to this purpose. The pope, he said, on examining the matter in the congregation de propaganda, *had found himself entitled to the possession of England and Ireland, on account of the heresy of prince and people!!!* and had accordingly assumed the sovereignty of these kingdoms. This supreme power he had thought proper to delegate to the society of Jesuits; and de Oliva, general of that order, in consequence of the papal grant, had exerted every act of regal authority, and particularly had supplied by commissions, under the seal of the society, all the chief offices, both civil and military. Lord Arundel was created chancellor, lord Powis treasurer, sir William Godolphin privy seal, Coleman secretary of state, Langhorne attorney-general, lord Bellasis general of the papal army, lord Peters lieutenant-general, lord Stafford paymaster: and inferior commissions, signed by the provincial of the Jesuits, were distributed all over England. All the dignities of the church were filled, and many of them with Spaniards and other foreigners. The provincial had held a consult of the Jesuits, under his authority, where the king, whom they opprobriously called *the black bastard*, was *solemnly tried and condemned as a heretic!* and a resolution taken to put him to death. Father Le Shee (for so this great plotter and informer called father La Chaise, the noted confessor of the French king) had consigned in London, *ten thousand pounds, to be paid to any man who should merit it by this assassination!!* A Spanish provincial had expressed like liberality: the prior of the Benedictines, was willing to go to the length of *six thousand:* the Dominicans approved of the action, but pleaded poverty. *Ten thousand pounds had been offered to sir George Wakeman, the queen's physician, who demanded fifteen thousand, as a reward for so great service!!* his demand was complied with; and *five thousand had been paid him, by advance!* Lest this means should fail, four Irish ruffians had been hired, by the Jesuits, at the rate of twenty guineas apiece, to stab the king at Windsor; and Coleman, secretary to the late duchess of York, had given the messenger, who carried their orders, a guinea, to quicken his diligence. *Grove and Pickering were also employed, to shoot the king with* SILVER BULLETS!! the former was to receive the sum of fifteen hundred pounds; the latter, being a pious man, *was to be rewarded with thirty thousand masses, which, estimating masses at a shilling apiece, amounted to a like value!!!* Pickering would have executed his purpose had not the flint at one time, dropped out of his pistol, at another time the priming. Coniers, the Jesuit, had bought a knife, at the price of ten shillings, which he thought was not dear, considering the purpose for which he intended it, to wit, stabbing the king. Letters of subscription were circulated among the Catholics, all over England, to raise a sum for the same purpose. No less than fifty Jesuits had met, in May last, at the White-horse tavern, where it *was unanimously agreed to put the king to death!* This synod did, afterwards, for more convenience, divide themselves into many lesser cabals or companies: and Oates was employed to carry notes and letters from one to another, all tending to the same end, of murdering the king! He even carried from one company to another, a paper, in which they formally expressed their resolution of executing that deed, and it was regularly subscribed by all of them. *A wager of an hundred pounds was laid, and stakes made, that the king should eat no more Christmas pies!* In short, it was determined, to use the expression of a Jesuit, that if he would not become R. C. (Roman Catholic) he should no longer be C. R. (Charles Rex.)

"The great fire at London had been the work of the Jesuits, who had employed eighty or eighty-six persons, for that purpose, and had *expended seven hundred fire balls!* but they had a good return for their money, for they had been able to *pilfer goods from the fire, to the amount of fourteen thousand pounds!* the Jesuits had,

Many well-intentioned men were hurried along with the torrent of popular delusion, which was so violent that those who dared to assert any doubt of the reality of the plot were regarded with suspicion, and incurred the risk of being involved in the accusation. Under these circumstances trial and condemnation were nearly synonymous. Numbers of persons of the most estimable characters, and of the most immaculate loyalty, were immolated as victims to his perjury—among whom none was more sincerely regretted than lord Stafford, an aged and venerable nobleman, utterly incapable of the crime for which he suffered.

The original depositions were taken before sir Edmondbury Godfrey, who, shortly afterwards, was found dead in a ditch, with his sword stuck in his body. The mode in which, and the persons by whom, he came to an untimely end, are still, I believe, involved in mystery. The odium, however, fell on the Roman Catholics, which wonderfully advanced the purposes of Shaftesbury and his precious partner in iniquity, and inflamed the passions of the great and little vulgar into the utmost ferocity against those obnoxious religionists. A very slight reflexion will satisfy any candid man, that it is utterly improbable, that they could have been the perpetrators of the nefarious act; as his death could not possibly answer any valuable purpose whatever for them: nor could his taking the examinations, which was an imperious duty, that he could not refuse, be with them a cause of complaint. Had Titus Oates been killed, suspicion might, not unreasonably, attach to them; as they might suppose his death would suppress the evidence against them.

On the accession of James II. he was tried—found guilty of perjury on the evidence of sixty persons, nine of them Protestants—sentenced to be repeatedly pilloried—to lose his ears—and to be imprisoned for life.†

also, raised another fire, on St. Margaret's Hill, whence they had stolen goods to the value of two thousand pounds; another at Southwark: and it was determined, in like manner, to burn all the chief cities in England. A paper model was already framed, for the firing of London; the stations were regularly marked out, where the several fires were to commence; and the whole plan of operations was so concerted, that precautions were taken, by the Jesuits, to vary their measures, according to the variation of the wind. Fire balls were familiarly called among them *Teuxbury mustard pills;* and were said to contain a notable biting sauce. In the great fire, it had been determined to murder the king; but he had displayed such diligence and humanity, in extinguishing the flames, that even the Jesuits relented, and spared his life.

"Besides these assassinations and fires, insurrections, rebellions, and massacres, were projected, by that religious order, in all the three kingdoms. There were twenty thousand Catholics in London, who would rise, in four and twenty hours, or less; and Jennison, a Jesuit, said, that they might easily *cut the throats of a hundred thousand Protestants!* Eight thousand Catholics had agreed to take arms in Scotland. Ormond was to be murdered by four Jesuits; a general massacre of the Irish Protestants was concerted; and forty thousand black bills were already provided for that purpose. Coleman had *remitted two hundred thousand pounds, to promote the rebellion in Ireland;* and the French king was to land a great army in that island.—Poole, who wrote the Synopsis, was particularly marked out for assassination, as was also Dr. Stillingfleet, a controversial writer against the papists."—Hume, IV. 313.

† "The notorious Titus Oates was, soon after the accession of James, convicted of perjury, *upon the evidence of above sixty reputable witnesses, of whom nine*

When William came to the throne, "the house of lords, with the consent of the commons," to the eternal disgrace of both houses, "*recommended him to the king for a pardon!!*" [HUME, V. 37.] This was accorded, and, O shame where is thy blush? the wretch had a pension of 400*l.* per annum settled on him for life by William! Duly weighed in the scales of reason, this transaction is more flagitious, than the public acquiescence in his perjuries at the moment they were uttered; for all history proves that in times of great excitement, an epidemical and moral insanity too frequently prevails, which so far deprives even good men temporarily of their reason, as to lead them to do and to acquiesce in acts at which, in their cooler moments, they would shudder. But this pardon and this annuity were bestowed when all the effervescence had subsided, and when the turpitude of Oates's conduct had been exposed, naked, in the glare of day, in all its hideous deformity to the loathing and detestation of the upright of all nations. The stain, therefore, on parliament and king can never be effaced.

The following cases fully prove that the English judiciary, though so extravagantly eulogized, was then in so deplorable a state,—so lost were the judges to every sense of honour and rectitude,—and so sealed was the fate of the miserable men brought—not to trial, but to condemnation, that the evidence of the most notorious perjurers was received, in capital cases, and was allowed to hurry the victims to the gallows,

> "With all their sins and imperfections on their heads."

In order to substantiate this charge against the English judiciary, at that period of delusion, and to prove the extent to which the violation of the first principles of justice was carried, when Roman Catholics were in question, the following case is given, although strictly speaking, somewhat foreign from the subject of this chapter.

Seven priests were indicted together at the Old Bailey, in the year 1679, for treason, in exercising their sacerdotal functions in England, contrary to the statute, which declared this a capital offence. The principal evidence against them was Bedlow, whose evidence should not have been taken against a notorious felon.

On the trial of Lionel Anderson, the first of the number, Bedlow was detected in open court, in a most manifest and flagrant perjury. He had sworn that Anderson was the son of a gentleman *in Oxfordshire*, and that HE KNEW HIM AND HIS FATHER WELL. The lord chief baron, who happened to be then in court, was acquainted with the accused, who immediately appealed to him to prove that

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were protestants. He was sentenced to pay a fine of two thousand marks; to be stripped of his canonical habit; to be whipped twice in three days by the common hangman; and to stand in the pillory at Westminster-hall gate, and at the royal exchange. He *was, moreover, to be pilloried five times every year, and to be imprisoned during life.* The hangman performed his office with uncommon rigour. *The best thing James ever did, was punishing Oates for his perjury;* and the greatest thing Oates ever did, was supporting himself under the most afflictive part of his punishment with the resolution and constancy of a martyr. *A pension of 400l. a year was conferred upon this miscreant by king William!!!*"—GRANGER, IV. 348.

he was the son of a gentleman in *Lincolnshire;* which the baron accordingly testified. The case-hardened Bedlow, no ways abashed, stated *that he had his information*, as to the place of Anderson's birth, FROM MY LORD PRIVY-SEAL'S NEPHEW! notwithstanding the atrocious villain had, a few minutes before, positively sworn that he knew him well!*

This manifest perjury, for which, had not the chief justice been almost as wicked as the informer, Bedlow ought to have been immediately indicted, brought to the bar, tried, sentenced, and cropped, was disregarded. He received no rebuke from the complaisant court. His evidence, as if he had been one of the most immaculate men in existence, an Aristides, or a Socrates, was received during the remainder of the trial of Anderson, and of Corker which followed. The unfortunate men were all found guilty, on the testimony of Bedlow, and other wretches, equally profligate: and, although the state trials make no mention of the final result, as to their fate, it can scarcely be doubted, from the temper of the times, that they were hanged.

Who can read this statement without horror? Who can regard otherwise than as a mere slaughter-house, a court of justice, where, on the trial of a number of men for their lives, merely for the worship of the Living God, the judge acts the part of the public accuser;† where the witnesses for the accused are almost torn to pieces by the mob;‡ and where the evidence is unhesitatingly received, of a wretch

* "*Bedlow.* He is a priest and an Englishman, if his mother was honest, and he honestly born; for *he is Mr. Anderson's son, of* OXFORDSHIRE, a gentleman of two or three hundred pounds a year; I KNOW HIM AND HIS FATHER VERY WELL.

"*Anderson.* My lord, could I but apprehend that I lay under so great a guilt, as to have been acquainted with *so great a rogue as this fellow is*, I would have been my own executioner, and not have expected my sentence at this bar.

"*L. C. J.* Do you know him well?

"*Bedlow.* Very well, both him and his father. *His father is an Oxfordshire gentleman.*

"*Anderson.* Now I think *I shall prove the rogue perjured.* Is my lord chief baron in the court?

"*Court.* Yes, he is.

"*Anderson.* Why then my father has the honour of being well known to his lordship, who knows this to be false.

"*L. C. Baron.* No, no, Mr. Bedlow, *he is a gentleman's son of quality in* LINCOLNSHIRE.

"*L. C. J.* You are mistaken, you are mistaken, *his father is a* LINCOLNSHIRE *gentleman.*

"*Anderson.* And yet this rogue is upon his oath; but indeed all his life is full of such mistakes.

"*Bedlow.* I don't know. *My lord privy-seal's nephew told me so!!!*"—State Trials, folio, Vol. II. p. 993.

† "*The chief justice gave sanction to all the narrow prejudices and bigoted fury of the populace.* Instead of being counsel for the prisoners, as his office required, HE PLEADED THE CAUSE AGAINST THEM; *browbeat their witnesses; and on every occasion represented their guilt as certain and uncontroverted!*"—HUME, IV. 329.

‡ "When verdict was given against the prisoner, the spectators expressed their savage joy, by loud acclamations. The witnesses, on approaching the court, *were almost torn in pieces* by the rabble. One, in particular, was bruised to such a degree *as to put his life in danger;* and another, a woman, declared that, unless

whose perjury is as clear as the noon-day sun; who is caught *flagrante delicto;* and whose confession of the hideous crime is made in open court! Never was human nature much more debased and degraded! Never did man make much nearer approaches to the demoniac character! Eternal infamy ought to attach to the court, the jury, and the blood-thirsty mob, great and small, high and low, by whom they were surrounded. These facts have imprinted a stain on the escutcheon of the English judiciary, which time can never efface.

To this case let me add another of a similar character. A certain Andrew Brommitch, a priest, was, in the same year 1679, tried for high treason, in celebrating mass, contrary to the statute. It required two witnesses. There was one who swore positively to the celebration, and another circumstantially. The judge, the infamous Scroggs, thirsting for the blood of the victim, closed his charge to the jury thus—"Gentlemen, I must leave it to you, whether or no you believe the testimony of this real positive witness, and the circumstantial evidence of the other man; for you see in what danger we are. I leave it to your consciences, whether *you will let priests escape*, who are the *very pests and danger of church and state!* You had BETTER BE RID OF ONE PRIEST THAN THREE FELONS!!! So, gentlemen, I leave it to you!!! [Idem, 965.] The man was, as may be supposed, brought in guilty, and *hanged*, *drawn*, and *quartered!!!*

Plot for the destruction of Charles II.

During the reign of Charles II. a plot was fabricated, of which the object was pretended to be to kill the king.

Lord Castlemain was among the parties accused. [Idem, Vol. III. p. 36.] The details were of the most absurd and incredible character. I forbear to give the particulars, as they partake of the folly and inconsistency of those I have stated at some length. I merely introduce it for the purpose of presenting to the reader, the principal evidence, one Dangerfield, a most profligate and worthless villain.* There were sixteen records of convictions produced in court, to prove that he was not a competent witness.—Idem, p. 52. He had been convicted of felony; had broken prison; been outlawed; branded in the hand; been four times convicted of forging the coin; once as a common cheat; been each time put in the pillory; and been guilty of almost every species of crime: but such was the abandoned character of the

the court could afford her protection, she durst not give evidence. But as the judges could" [would, more properly] "go no further than promise to punish such as should do her any injury, the prisoner himself had the humanity to waive her testimony."—Idem, 342.

* "The nation had gotten so much into the vein of credulity, and *every necessitous villain was so much incited by the success of Oates and Bedlow*, that even during the prorogation, the people were not allowed to remain in tranquillity. There was one Dangerfield, *a fellow who had been burned in the hand for crimes; transported; whipped; pilloried four times; fined for cheats; outlawed for felony; convicted of coining; exposed to all the public infamy which the laws could inflict on the basest and most shameful enormities!!* The credulity of the people, and the humour of the times, enabled even this man to become a person of consequence." —Hume, IV. 349.

court, so completely poisoned were the streams of justice, and so violent was the rage against the accused, that these solid objections were all overruled, and his evidence received as if he had been the most immaculate character in the nation.

On this trial, a ludicrous opinion was given by the judges of the Common Pleas, who were consulted by lord Raymond, whether a pardon, which had been granted to Dangerfield, rendered his evidence admissible? "They say," states lord Raymond, "that if he had been convicted of felony, *and not burnt in the hand, the pardon would not have set him upright:* but being convicted and *burnt in the hand*, they suppose *he is a witness!!!*" [Idem, page 47.] Thus being "*burnt in the hand*" purified the miscreant from the stains of his manifold crimes, and rendered him a competent witness in a case of life and death!! Has the world ever heard of a more disgraceful judicial opinion?

Having now fully established the sinister proceedings in England, with respect to forgery, perjury, and fabricated plots, for the purposes of gratifying lawless ambition and a thirst of vengeance—as well as the callous indifference with which human life was immolated to answer those ends, I now proceed to prove the existence of the same horrible spirit in Ireland, where there was a powerful motive in operation, which either did not exist at all, or in a very slender degree in England—that is, the spirit of rapine, and the spoils of the men murdered under the pretence of justice. Where ambition, revenge, and a thirst of spoil united their influence, it is easy to perceive how wide a range their votaries must have taken, what havoc they must have made, what plunder they must have acquired, and now much misery and wretchedness they must have inflicted, more especially as they were not only not restrained, but absolutely patronised and encouraged, in Ireland by the parliament,* and by men of overwhelming influence in

* "The house, to throw an odium upon that nation, and prejudice them in the opinion of the world, as well as of his majesty, before whom their all lay at stake, *would needs infer a formed design of an insurrection.* All the foundation for this insinuation was, that there had been of late meetings of the poor Irish at masses in order to partake of a jubilee the pope had sent them. But the whole kingdom knew they were in no condition to rebel, nor was it likely they should attempt it at a time, when they were suing for grace and favour from his majesty. Sir M. Eustace, the lord chancellor, a man of great virtue and integrity, who wished well to a true loyal English interest, and not to a pretended one of disaffected and unconformable upstarts, was persuaded of the injustice, as well as the design of this charge against the Irish; and to discover what ground there was for it, directed the judges, in their circuits, to cause the matter to be inquired into by the grand juries of the several counties through which they passed. The finding of those juries was alike in all places; there being *a great calm every where, no preparation for a rising, nor so much as a rumour of any new troubles.* Nothing could be more frivolous and void of proof, than the paper which the commons drew up on this subject."—Carte, II. 231.

"*It was thought politic to have recourse to one* [a sham plot] *in the present exigence.* For this purpose a committee was appointed to inquire into informations against the Irish, and the danger of the kingdom from them. Informations of one sort or other will never be wanting, when it is the interest of men in power to encourage them! and *they are sure to be received with favour, and swallowed without examination*, however trifling, ridiculous, and improbable!"—*Idem*, 222.

England. Every man possessed of a sound mind and a feeling heart, must be inflamed with a holy indignation and abhorrence of the miscreants, the agents in these atrocities, and of the greater miscreants by whom they were instigated.

So far as Ireland is concerned, Carte has furnished us with a complete clue to these plots, which the reader is requested to bear in mind constantly in the perusal of the succeeding chapters of this work; as it clears up a variety of difficulties, otherwise insuperable. "There were," he observes, "too many Protestants in Ireland who wanted another rebellion, that *they might increase their estates by new forfeitures.*"—CARTE, II. 482.

As this is a point of great magnitude, and the pivot on which a large portion of the affairs of Ireland turned, for an entire century, I shall furnish more copious proofs from Carte,* Leland,† and the duke of Ormond,‡ than on any point of minor importance.

The success of Shaftesbury's pernicious schemes in England encouraged him to pursue the same plan in Ireland to fabricate plots in order to favour his views in the former country. Informers were sought out with great zeal. The subornation of witnesses was carried on in the most barefaced and scandalous manner. They were taken from the lowest ranks of society, men of the most profligate characters, destitute of fame and fortune. The wretched people accused, were conveyed to London, to be tried, where they could have little or no opportunity to prove their innocence. The witnesses against them, allured by the hope of a reward, to perjure themselves, were forwarded there, and were fostered, and protected, and paid, and clothed, and fed, by the

* "These proceedings insinuating the design of *a new rebellion*, were founded upon very slight grounds; but there are certain subjects of so odious or unpopular a nature, that few men dare, in public assemblies, offer to stem the torrent, and speak their minds about them with freedom. *Of this nature was every motion, expressing a distrust of the papists, and loading them with rebellious designs;* so that though the *letters which served as a foundation to their votes, were a mere contrivance and* PALPABLE FORGERY, nobody (except the lord Strabane) seems to have expressed their dissatisfaction as to the proof and truth of them, or to have made any attempt to vindicate the papists from a charge so weakly supported, and so very improbable in the present situation of the kingdom."—*Idem*, 238.

"Reports [were] spread by these agents and their creatures, as if the Irish Roman Catholics were *ready to raise a new rebellion* in that country. *This was a thing impossible to be conceived* by any body that knew the real state and miserable condition of those people at this time in Ireland."—*Idem*, 205.

† "*They revived the rumours of new plots and conspiracies;* received informations of many dark designs and suspicious proceedings of the Irish; alarmed the government with the danger of public commotions; and, though all their industry could produce no material discoveries, yet it served their purpose of loading an obnoxious party with additional odium, at a time when they were to contend with them for estates and settlements."—LELAND, IV. 125.

‡ "Those that went out of Ireland with *bad English and worse clothes, are returned well-bred gentlemen, well carronated, periwigg'd and clothed. Brogues and leather straps are converted to fashionable shoes and glittering buckles;* which, next to the zeal tories, thieves, and friars have for the protestant religion, *is a main inducement to bring in a shoal of informers.* But we have erected alderman Reder to the dignity of being our justice Warcap, and send them all to him. The worst is, they are so miserably poor, that we are fain to give them some allowance; and they find it *more honourable and safe to be king's evidence, than a cowstealer, though that be their natural profession.*"—LORD ORMOND, apud CARTE, II. App.

agent of lord Shaftesbury, by whom they were instructed what to swear.*

In one instance, the remorse of the principal suborned evidence, who confessed his perjury, and some fortunate circumstances that withheld the others, rescued a number of innocent people from the gallows for which they had been destined.† The same good fortune did not attend others of the objects of Shaftesbury's schemes. Among the sufferers, the case of Oliver Plunket, primate of Ireland, excited the most sympathy, as one of the most severe. He was accused of a plot to raise *by the contributions of the Catholic clergy*, 70,000 men, who were to be joined by 20,000 French troops, and to rise in rebellion, to overthrow the government. The witnesses in his defence did not arrive in time, having been detained by contrary winds. The trial nevertheless proceeded without delay. The primate had no means therefore of disproving the allegations—and was of course found guilty and hanged. He protested his innocence to the last.‡

* "There is something odd enough in sending of such numbers of miserable wretches from Ireland, to serve in England, *for witnesses of a plot, of which they knew nothing till they were instructed by Mr. Hetherington, lord Shaftesbury's chief agent* in managing and providing for them."—CARTE, II. 517.

"These fellows who went out of their own country *poor and half naked, returned thither again well equipped in clothes and flush of money*, having met with plentiful contributions and ample rewards *for what they had been there taught to depose!*" —Ibid.

"*Another fellow employed to pick up witnesses for the plot, and to bring them over to England to be tutored and instructed there*, (for the men taken up, when they appeared before the council, generally professed they knew nothing of the matter,) was one James Geoghegan, alias Dalton."—*Idem*, 513.

† "Shaftesbury now boasted that he could produce important discoveries of an Irish plot. It was resolved to try the culprits in London. Fitzgerald was sent for; and though he attempted to escape, was forcibly dragged to give his evidence in London.

"But one witness, however credible, was not sufficient. More were sought for; nor was it extraordinary, nor is it any fair ground for national reflection, that uncommon industry and encouragement procured some more witnesses in Ireland. Some of the inferior Popish clergy, of extreme poverty and profligate lives, consented to become informers. The haunts of tories were successfully ransacked for others; and all these men suddenly appeared in London, not in their original state of meanness and barbarism, but in a decent garb, and with the appearance even of affluence. Happily the persons accused by Fitzgerald escaped by the remorse of their accuser; who, at length, freely acknowledged the baseness and falsehood of his informations."—LELAND, IV. 193.

‡ "Oliver Plunket, the popish archbishop of Armagh, was not so fortunate. He succeeded Reilly in this station: and during the government of lord Essex, lived quietly in Ireland, recommending a peaceable submission to government, and expressing his abhorrence of all political intrigues. He even exerted his spiritual authority to restrain the turbulent temper of Peter Talbot, and to confine him within the duties of his profession. But some of the inferiors of his clergymen, of lewd lives and brutal manners, were provoked by his censures and correction, and formed the design of accusing him.

"He was conveyed to London; but, as these evidences had neither honesty to swear the truth, nor *sense to devise a consistent tale*, their first attempt was defeated. The jury, even in those days of passionate credulity, could not find a bill against Plunket. But the informers gained some accomplices, they framed their accusations anew, and made another attack. Plunket was accused of obtaining his title and station for the purpose, and on an express compact, *of raising seventy thousand men in Ireland by the contributions of the popish clergy, whose whole*

Plot for a general massacre of the Protestants of Ireland in 1670.

At every step of our progress in detailing those transcendently wicked schemes, the reader must be petrified with astonishment, at the folly of the fabricators, and the cullibility of the public. How such absurdities could have found belief for a moment, or have produced any effect on the public mind, is truly astonishing.

A virulent and fabulous book, published under the title of "Memoirs of Ireland, from the Restoration to the present time," which abounds in falsehoods of the grossest character, contains a curious account of one of those wonderful plots. It is quite an original; and deserves to be brought to light once more, out of compliment to the talents of the fabricator who could devise, and to the sagacity of the stupid public which could digest, such a tale.

It states, that a massacre of the Protestants in Ireland was intended, anno 1670: preparatory to which, "the priests *ordered their congregations at mass*," to fix "*over their doors a cross made of straw.*" This cross was to be a mark to the assassins not to molest the inhabitants, "when the bloody massacre was to be perpetrated." All "the men, women, and children" in the houses devoid of the straw cross, were "to be butchered, and the houses burned." This is very amusing, truly; and a mere matter of course. But the enigmatical part of the plot remains. The crosses "were so little," that "the Protestants took no notice of them" *by daylight;* although the cut-throats, to whom they were to afford directions, were to be governed by them *at night*, as that time alone was fit for such deeds of blood. And, although the directions had been given openly "*at mass!!!*" throughout the kingdom, "*the matter was carried with so much secrecy!!!* that "the priests themselves" were ignorant of what was meant, and "believed that it was designed to bless the people's houses!!!"* And this

revenues could not equip a single regiment. This formidable body of insurgents was destined to join twenty thousand men to be furnished by France, and who were to make their descent at the port of Carlingford, a place the most inconvenient, and even impossible for the purpose. The witnesses of Plunket were detained by contrary winds, and other untoward accidents: so that he had little to urge against his accusers but the improbability of their evidence, and solemn asseverations of his own innocence. *The wretched man was condemned and executed for a plot which he explicitly denied at his death,* with the most solemn disavowal of all equivocation; and which, *if he had confessed, no man at all acquainted with the circumstances of Ireland, (as he pertinently observed,) could have given the least credit to his dying confession.*

"Through the whole melancholy progress of perjury and subornation, the duke of Ormond acted with the utmost caution. He discouraged no informations, he discovered no violence in the prosecution of them."—*Ibid.*

* "The priests, by directions from their superiors, *ordered their several congregations, at mass,* that, at such a time, every Roman Catholic should fix over their doors A CROSS MADE OF STRAW. The people were curious to understand the reason of this order; but *the matter was carried with so much secrecy,* that *the priests themselves,* it is believed, *knew no more than that it was designed to bless the people's houses.* This was generally performed: and, at the same time, vast multitudes of priests came from beyond the sea; who, as appears by the sequel, were better acquainted with the bottom of *this black and damnable intrigue,* than generally the poor ignorant priests of Ireland were, to whom *the hellish conclave at Rome* did not think fit to communicate a matter of *this private and great import-*

miserable fabrication was credited; excited a great alarm among "the Protestant ascendancy;" and afforded a pretext for the further oppression and persecution of, and depredation on, the Roman Catholics.

In the year 1681, there was a wonderful alarm excited in England, on the subject of an intended insurrection and massacre in Ireland.* The most terrific accounts were transmitted from the latter to the former kingdom; and warrants were issued for apprehending the supposed conspirators: but this, like so many other of the similar contrivances, already noticed, manifested as much folly as fraud. The four leaders of this tremendous conspiracy, for whom those warrants were issued, were, Richard Talbet, lord Mountgarret, his son, and a colonel Peppard. [Leland, IV. 185.] Talbot was apprehended; and, being examined, there was nothing discovered that could warrant holding him in custody: [*Ibid.*] of lord Mountgarret's son, no further mention is made by Leland or Carte: and, to throw the affair into complete ridicule, and display its wickedness and folly, there was no such person to be found as colonel Peppard; and lord Mountgarret, who was represented as so extremely dangerous, and so active a conspirator, was "of the age of fourscore years!! bed-ridden!! and in a state of dotage!!!" [*Ibid.*] most admirable qualities for a conspirator!

Anonymous letters dropped in the streets or sent to gentlemen's houses, to excite alarm.

A potent instrument in the hands of the profligate statesmen whose grand object was to keep the public mind in a constant state of excitement, was the dropping of anonymous letters in the streets,† or directing them to gentlemen's houses, containing developments of plots for the slaughter of the Protestants. The bigoted, who detested the

ance. The plot was formed after the ensuing manner. *This signal of the cross was to distinguish the Papists from the Protestants,* when THE BLOODY MASSACRE WAS TO BE PERPETRATED. Where no cross was found on the door, *all within the house, men, women, and children, were to be butchered, on a certain day, and their houses burnt.* Intimation of this design being given to the magistracy, search was made; and crosses accordingly found at most of the Papists' doors in the province of Munster. They *were so little, that the Protestants took no notice of them!* The priest, who discovered the plot first, ran away, and was no more heard of."—*Memoirs of Ireland,* 15.

* "January 6th, 1681. Resolved, by the lords spiritual and temporal in parliament assembled, that they do declare, that they are fully satisfied, that there now is, and for divers years last past has been, a horrid and treasonable plot contrived and carried on by those of the popish religion in Ireland, for *massacreing the English, and subverting the protestant religion,* and the ancient established government of that kingdom; to which their lordships desire the concurrence of this house."—*Idem,* 25.

† "*It had been a common artifice, just after the king's restoration,* TO DROP SUCH LETTERS IN THE STREETS AND HIGHWAYS, IN ORDER TO RENDER THE IRISH ODIOUS."—Carte, II. 239.

"The more violent attempted to drive the duke of Ormond from his course of moderate measures, by alarming him with fears of assassination. *Letters were dropped in Dublin, intimating a design of this nature, and several pretended to give an account of what they heard or suspected of this design.*"—Idem.

"There was dropped in the streets a declaration of the Catholics of Ireland, framed upon presumption that the design had been effected, and to the like purpose as is before remembered."—Whitelock, 47.

Roman Catholics on account of their religion—the sanguinary who thirsted for their blood—the ambitious who loved to fish in troubled waters—and the rapacious who wished for forfeitures, all united in this detestable system of pretending plots and conspiracies, to countenance such measures of violence as might drive the Irish into rebellion.*

One of the most remarkable cases of this kind occurred in 1688, after the revolution in England. An anonymous letter, addressed to lord Mount-Alexander,† dated December 3, 1688, announced that on the following Sunday there was to be a general massacre of all the Protestants throughout the kingdom. Copies of this letter were multiplied, and spread over the kingdom, and excited as great an alarm as if an army of Goths and Vandals had landed and were actually devastating the country. Thousands of persons fled the kingdom.‡

* "The peace and quiet in Ireland was a great disappointment to lord Shaftesbury and his party, whose designs could not be advantaged by any thing so much as by an insurrection there; of which the experience of their predecessors in 1641, whose steps and measure they copied, was an undoubted evidence."—CARTE, II. 494.

† "*A letter addressed by an unknown person* to lord Mount-Alexander, in the county of Down, *warned him of a general massacre intended by the Irish.* The style was mean and vulgar; nor was the information on that account less plausible. It was confident and circumstantial; and pointed out Sunday, the ninth day of December, *as the precise time when this bloody design was to be executed, without distinction of sex, age, or condition.* The like intelligence was conveyed to some other gentlemen of the northern province: and whether these letters were the contrivance of artifice, or the effect of credulity, *their influence was wonderful.*"—LELAND, IV. 229.

‡ "Their just and terrible apprehensions were increased by a letter, dated the third of December, 1688, sent to the earl of Mount-Alexander, intimating a design of destroying the Protestants on the Sunday following. This letter was spread over the kingdom; and *one cannot conceive the horrible fright it put them all into.* The contents of it were as follow:

"*A copy of the Letter dispersed about the Massacre, said to be designed on the 9th of December,* 1688.

"Decemb. 3, 1688.

"Good my lord,

"I have written to let you know, that all our Irishmen through Ireland are sworn, that on the 9th day of this month, being Sunday next, *they are to fall on, to kill and murther man, wife, and child, and to spare none;* and I desire your lordship to take care of yourself, and all others that are adjudged by our men to be heads; for whoever of them can kill any of you, is to have a captain's place. So my desire to your honour is to look to yourself, and to give other noblemen warning, and go not out at night or day without a good guard with you; and let no Irishman come near you, whatever he be. This is all from him, who is your friend and father's friend, and will be, though I dare not be known as yet, for fear of my life.

"Direct this with care and haste

"To my lord Mount-Alexander.

"His lordship sent this letter to Dublin, with several copies of it; and copies of it were also sent to all parts of the kingdom. It arrived at Dublin on Friday, and THE DAY OF SLAUGHTER WAS TO BE TWO DAYS AFTER; the terror of which was so great amongst the English, that *about three thousand souls got away on the Saturday.* There happened to be a great many ships in the harbour at that time, and they were all so crammed, that *the passengers were in danger of being stifled.*"—Memoirs, 87.

One serious reflection here forces itself on the mind. How awful and deplorable must have been the situation of the Roman Catholics of Ireland, forming the great mass of the nation, when their happiness, their security, nay, their liberties and their lives, lay at the mercy of any miscreant that could fabricate such letters as that sent to lord Mount-Alexander, which, according to the account of the virulent writer of the "History of Ireland, from the Restoration to the present time," set the whole kingdom in a flame! And let it be borne in mind, I repeat, that every such letter, every rumour of a conspiracy, was intended to introduce, and did produce, some act to blast the characters, violate the rights, or depredate on the property, of those persecuted religionists.

CHAPTER XXII.

The insurrection in 1641. *Was there a general conspiracy of the Irish Catholics, in that year to murder the Protestants? O'Conally. Palpable perjury. Analysis of the legend.*

> "A perjur'd wretch, whom falsehood clothes,
> Ev'n like a garment—
> Who in the day's broad searching eye,
> Makes God bear witness to a lie."—CHURCHILL.

THE decision of this question is attended with far more difficulty than any of those hitherto presented to the view of the reader. The nature of the case does not admit of the same kind of evidence as I have been hitherto enabled to produce, and which, I flatter myself, has been found irresistible.

The tale of this conspiracy has been so universally credited; so large a portion of the possessors of confiscated property in Ireland have been for one hundred and eighty years interested in affording it support and countenance; so much art and talent have been, during that time, employed in giving it an air of plausibility; there is so much difficulty in proving a negative in any case, more particularly in the present one, which is naturally, and has been moreover artfully, involved in mystery; and it is so extremely arduous an undertaking to operate upon the public mind, when imbued with inveterate prejudices, that the task is truly Herculean, and I should have abandoned it as impracticable, but that the narrative itself is replete with so many incredible and incongruous circumstances, as to carry strong internal evidence of the most idiotic stupidity and the most barefaced fraud.

In order to give the story fair play, and to enable the reader to form a correct opinion on the subject, with all the evidence before him, I shall give the whole account of the pretended discovery of the plot, as it stands in Temple's History of the Irish Rebellion, the authority almost solely relied on by all the subsequent writers on the subject. Some slight extracts are added from Borlace, containing a few additional particulars.

To simplify the examination, the narrative is divided into short sentences, each containing perfect sense, to oblige the reader to pause and reflect, as he proceeds.

The discussion of this question being one of the main objects of the work, the reader's calm and candid consideration of it is earnestly invoked. It is hoped that, laying aside all preconceived opinions on the subject, he will revolve it in his mind, as if it were wholly a new case, and he had now, for the first time in his life, to form a decision on it.

There are unfortunately, too many to whom a compliance with this request is impossible: and indeed a large proportion of mankind can never command independence of mind enough even to examine evidence that militates with their early, and, of course, inveterate, preju-

dices; far less ever to abandon those prejudices. There are, therefore, thousands who would as soon doubt any of the demonstrations of Euclid, or the existence of the solar system, as the existence of the universality of the plot of "*the execrable rebellion of* 1641."

To this contracted class I do not address myself: with them I have no fellowship: "Even though one were to rise from the dead," his testimony would not convince them. Let them hug the chains of their bigoted prejudices. The appeal is to that respectable description of readers, whose minds, open to conviction, are at all times ready to yield to the force of evidence, how strongly soever it may militate against opinions which have "grown with their growth." The favourable decision of one such reader, with a clear head and sound heart, would outweigh the disapprobation of a whole army of the slaves of prejudice.

*Extracts from Temple's History of the Irish Rebellion.**

1. "Sir William Cole, upon the very first apprehensions of something that he conceived to be hatching among the Irish, did write a letter to the lords justices and council, ☞ *dated the eleventh of October*, 1641.

2. "Wherein he gave them notice of the great resort made to sir Phelim O'Neal, in the county of Tyrone, *as also to the house of the lord Macguire*, in the county of Fermanagh, and that by several suspected persons, fit instruments for mischief;

3. "As also that *the said lord Macguire had of late made several journies into the Pale and other places, and had spent his time much in writing letters and sending despatches abroad.*

4. ☞ "*These letters were received* by the lords justices and council;

5. "And they, in answer to them, required him to be very vigilant and industrious to find out what should be the occasion of these several meetings, and speedily to advertise them thereof, or of any other particular that he conceived might tend to the public service of the state."—TEMPLE, 18.

6. "They [the lords justices] had not any certain notice of the general conspiracy of the Irish, *until the twenty-second of October, in the very evening before the day appointed* for the surprise of the castle and city of Dublin.

7. "The conspirators being, many of them, arrived within the city, and having that day met at the Lyon tavern, near Copper alley, and there turning the drawer out of the room, ordered their affairs together, drunk healths upon their knees to the happy success of the next morning's work.

8. "Owen O'Conally, *a gentleman of a mere Irish family*, but one that had long lived among the English, and been trained up in the true Protestant religion, came unto the lord justice Parsons, ABOUT NINE O'CLOCK THAT EVENING!!

9. "And made him a broken relation of a great conspiracy for the seizing upon his majesty's castle of Dublin.

10. "*He gave him the names of some of the chief conspirators!* assured him that they were come up expressly to the town for the same purpose; and that next morning they would undoubtedly attempt, and surely effect it, if their design were not speedily prevented;

11. "And that he had understood all this from Hugh Mac-Mahon, one of the chief conspirators, who was then in the town, and came up *but the very same afternoon*, for the execution of the plot!!

12. "And with whom indeed *he had been drinking somewhat liberally;* and as the truth is, did then make such a broken relation of a matter that *seemed so incredible in itself*, as that his lordship *gave very little belief to it at first!!*

* The reader will please to observe, that these extracts are taken *verbatim* from the original work; and, unless where otherwise distinctly marked by a dash, thus ——, form an unbroken consecutive series.

13. "In regard *it came from an obscure person*, and one, as he conceived, somewhat distempered at that time.

14. "But howsoever, the lord Parsons gave him order *to go again to Mac-Mahon ! ! ! ! ! and get out of him as much certainty of the plot ! ! ! ! !* with as many particular circumstances, as he could ! ! ! ! straitly charging him to return back unto him the same evening ! ! ! !

15. "And in the mean time, having by strict commands given to the constable of the castle, taken order *to have the gates thereof well guarded, as also with the mayor and sheriffs of the city to have* strong watches set upon all parts of the same, and to make stay of all strangers.

16. "He went *privately ! !* about ten of the clock that night, to the lord Borlace's house *without the town ! ! !* and there acquainted him with what he understood from O'Conally.*

17. "They sent for such of the council as they knew then to be *in the town.**

18. "*But there came only unto them that night sir Thomas Rotheram and sir Robert Meredith*, chancellor of the exchequer: with these *they fell into consultation what was fit to be done ! ! ! !* attending the return of O'Conally !

19. "And finding that he staid somewhat longer than the time prefixed, they sent out in search after him;

20. "And found him seized on by the watch; and so he had been carried away to prison, and the discovery that night disappointed,

21. "Had not one of the lord Parsons's servants ! expressly sent, amongst others, *to walk the streets, and attend the motion of the said O'Conally ! !* come in, and rescued him, and brought him to the lord Borlace's house.

22. "*O'Conally having somewhat recovered himself from his distemper*, occasioned partly, as he said himself, by the horror of the plot revealed to him, partly by his too liberal drinking with Mac-Mahon, that he might the more easily get away from him, (he beginning much to suspect and fear his discovery of the plot,)

23. "Confirmed what he had formerly related, and added these further particulars set down in his examination, as followeth:—TEMPLE, 19.

The Examination of Owen O'Conally, gentleman, taken before us, whose names ensue, October 22, 1641.

"Who being duly sworn, and examined, saith:

24. "That he being at *Monimore*, in the county of Londonderry, on *Tuesday last !* he received a letter from colonel Hugh Oge Mac-Mahon, desiring him to come to Conaught, in the county of Monaghan, and to be with him on *Wednesday* or *Thursday* last !

25. "Whereupon he, this examinate, came to Conaught on Wednesday night last;

* Although I shall analyse this precious narrative at length, before this chapter is closed, I cannot refrain from calling the reader's attention to these two paragraphs, 16 and 17, as they alone would be sufficient with impartial men, to discredit the whole plot. Sir William Parsons, being *in the city of* Dublin, at nine o'clock at night, is informed of a plot to explode in thirteen hours.—Instead of at once seizing the conspirators, he sends a drunken man, whose absence must have excited suspicion, to make further discoveries!—and at ten o'clock, he goes "*privately*" to lord Borlace's house "*out of town*"—and then sends for such of the council as he knew to be then "*in town.*" Was there ever a more Munchausen tale? It is hardly calculated to impose on an idiot. How far out of town sir John's house was, cannot be ascertained—suppose only a mile. Then he walked a mile—the messenger another—and such of the council as were found, had to walk a third mile, and for what! To be so far removed from the scene of action, and from the means of applying a remedy to the impending evils, as to give every opportunity to the conspirators to insure their success! Here was a most pernicious delay, when every moment was invaluable!! Had there been any reality in the plot, sir William would have remained "*in town*"—collected all of the council there at the time—sent a messenger "*out of town*" for sir John Borlace—and then collected the whole body at their posts, where they ought to be on such an emergency.

26. "And finding the said Hugh come to Dublin, followed him hither;

27. "He came hither about *six of the clock this evening ! ! !*

28. "And *forthwith went to the lodging of the said Hugh*, to the house near the Boat, in Oxmantown;

29. "And there he found the said Hugh, and came with the said Hugh *into the town*, near the Pillory, to the lodging of the lord Macguire;

30. "Where they found not the lord within; and there they drank a cup of beer;

31. "And *then went back again* to the said Hugh his lodging;*

32. "He saith, that at the lord Macguire his lodging, the said Hugh told him that there were and would be this night great numbers of noblemen and gentlemen of the Irish Papists, from all the parts of the kingdom, in this town;

33. "Who, with himself, had determined to take the castle of Dublin, and *possess themselves of all his majesty's ammunition there ! ! to-morrow morning*, being Saturday ! ! !

34. "And that they intended first to batter the chimnies of the said town! and if the city would not yield, then to batter down the houses!

35. "And so *to cut off all the Protestants* that would not join with them!

36. "He further saith, that the said Hugh then told him, that the Irish had prepared men in all parts of the kingdom, *to destroy all the English inhabiting there, to-morrow morning by ten of the clock ! !*

37. "And that in all the sea ports, and other towns in the kingdom, *all the protestants should be killed this night ! !* and that all the posts that could be, could not prevent it;

38. "And further saith, that he moved the said Hugh to forbear executing of that business, and to discover it to the state, for the saving of his own estate;

39. "Who said he could not help it; but said, that they did owe their allegiance to the king, and would pay him all his rights: but that they did this for the tyrannical government was over them, and to imitate Scotland, who got a privilege by that course;

40. "And he further saith, that when he was with the said Hugh, in his lodging the second time, the said Hugh swore, that he should not go out of his lodging that night; but told him that he should go with him the next morning to the castle; and said, if this matter were discovered, some body should die for it:

40½. "Whereupon this examinate feigned some necessity for his easement; went down out of the chamber; and left his sword in pawn: and the said Hugh sent his man down with him; and when this examinate came down into the yard, and finding an opportunity, he, this examinate, *leapt over a wall and two pales ! ! !* and so came to the lord justice Parsons.

October 22, 1641.

William Parsons,
Thomas Rotheram,
Robert Meredith,
Owen O'Conally."‡

☞ 41. "How it came to pass that *the other lord justice attested not the examination (it being took in his house, he present,)* hath begot some doubts, evidencing how (since) counsels swerved into cabals."—Borlace, 21.

42. "*Hereupon the lords took present order to have a watch privately set upon the lodging of Mac-Mahon, as also upon the lord Macguire ! ! ! ! !*†

43. "And so *they sat up all that night in consultation ! ! !* having far stronger *presumptions* upon this latter examination taken than any ways at first they could entertain.

44. "The lords justices, upon a further consideration, there being come unto

* Here again is a dodging "*into town*" and "*out of town.*"

† The lords justices have information of a plot to explode in a few hours, whereby they are to be murdered, and as a precautionary measure, "*set a watch privately upon the lodgings*" *of the chief conspirators ! !* can any thing more extraordinary be found in Munchausen?

‡ Temple, 20.

them *early next morning!* several others of the privy council, *sent before day, and seized upon Mac-Mahon, then with his servant in his own lodging!*

45. "They at first made some little resistance with their drawn swords; but finding themselves over mastered, presently yielded.

46. "And so they were brought before the lords justices and council, *still sitting at the lord Borlace's house,**

47. "Where, upon examination, he did without much difficulty confess the plot, resolutely telling them, that *on that very day, all the forts and strong places in Ireland, would be taken!!!!*

48. "That he, with the lord Macguire, Hugh Birn, captain Brian O'Neil, and several other Irish gentlemen, were come up expressly to surprize the castle of Dublin!

49. "That *twenty men out of each county in the kingdom!!!* were to be here to join with them.†

50. "That *all the lords and gentlemen in the kingdom, that were papists, were engaged in this plot!!!*

51. "That what was *that day to be done in other parts of the country,* was so far advanced by that time, as it was impossible for the wit of man to prevent it!

52. "And withal told them, that it was true they had him in their power, and might use him how they pleased; but he was sure he should be revenged."—TEMPLE, 21.

53. Extract from "The lords chief justices' letter to the lord lieutenant, October 25th, 1641, sent by Owen O'Conally, the first discoverer.‡

"May it please your lordship,

54. "On Friday, the 22d of this month, *after nine o'clock at night,* this bearer, Owen O'Conally, SERVANT TO SIR JOHN CLOTWORTHY, KNIGHT, came to me, the lord justice Parsons, to my house,

55. "And in great secrecy (as indeed the cause did require,) discovered unto me a most wicked and damnable conspiracy, plotted, contrived, and intended to be also acted by some evil-affected Irish Papists here.

56. "The plot was on the then next morning, Saturday, the 23d of October, being St. Ignatius's day, *about nine of the clock!* to surprize his majesty's castle of Dublin, his majesty's chief strength of this kingdom; wherein also is the principal magazine of his majesty's arms and munition.

57. "And it was agreed, it seems among them, that at the same hour *all other his majesty's forts and magazines of arms and munition in this kingdom!!* should be surprized by others of those conspirators:

58. "And further, *that all the Protestants and English throughout the whole kingdom!!* that would not join with them, should be cut off!! and so those Papists should then become possessed of the government and kingdom at the same instant.

59. "As soon as I had that intelligence, I then immediately repaired to the lord justice Borlace; and thereupon *we instantly assembled the council.*

60. "And *having sate all that night!!* also all the next day, the 23d of October, in regard of the short time left us for the consultation of so great and weighty a matter, although it was not possible for us, upon so few hours' warning, to prevent those other great mischiefs which were to be acted, even at the same hour and at so great a distance, in all the other parts of the kingdom;§

* It appears, therefore, that the council was sitting all night "*at lord Borlace's house*" "*out of town,*" so as to leave the conspirators free scope to carry their projects into execution "*in town.*" Was ever an imposture so absurdly concocted?

† There are thirty-two counties in Ireland, some of them *one hundred and fifty miles from Dublin—and twenty men were to be marched from each county,* to execute a plot requiring the utmost secrecy!! An admirable scheme!

‡ Thus it appears that the lords justices did not think it necessary to write the lord lieutenant then in London, till Monday the 25th, respecting a conspiracy for the destruction of "all the Protestants in Ireland that would not join it," which was to have exploded on the 23d!!!

§ "Which were to be acted, even at the same hour, in all other parts of the kingdom"—but which were not acted, nor attempted.

61. "Yet such was our industry therein, *having caused the castle to be that night strengthened with armed men*, and the city guarded, as the wicked councils of those evil persons, by the great mercy of God to us, became defeated, so as they were not able to act that part of their treachery, which indeed was principal.

62. "And which, if they could have effected, would have rendered the rest of their purposes the more easy.

63. "Having so secured the castle, we forthwith laid about for the apprehension of as many of the offenders as we could, many of them having come to this city but that night, intending, it seems, the next morning, to act their parts in those treacherous and bloody crimes.

64. "The first man apprehended was one Hugh Mac-Mahon, Esq. (grandson to the traitor Tyrone,) a gentleman of good fortune in the county of Monaghan, who, with others, *was taken that morning in* Dublin, having, at the time of their apprehension, offered a little resistance with their swords drawn; but finding those we employed against them more in number, and better armed, yielded.

65. "He, upon examination before us, at first denied all: but in the end, when he saw we laid it home to him, he confessed enough to destroy himself, and impeach some others, as by a copy of his examination herewith sent, may appear to your lordship.

66. "We then committed him until we might have further time to examine him again, our time being become more needful to be employed in action for securing this place, than in examining. This Mac-Mahon had been abroad, and served the king of Spain as a lieutenant colonel.

67. "Upon conference with him and others!!! *and calling to mind a letter we received the week before* from sir William Cole!!! a copy whereof we send your lordship here inclosed, WE GATHERED, that *the lord Macguire was to be an actor in surprizing the castle of Dublin!!!!!**

68. "Wherefore we held it necessary to secure him immediately, thereby also to startle and deter the rest, when they found him laid fast."—TEMPLE, 27.

Extracts from Borlace's "History of the Execrable Irish Rebellion."

69. "In the interim, the lord Parsons, (being touched with the relation,) repaired, about ten of the clock at night, to the lord Borlace, at Chichester house, without the town;

70. "And disclosed to him what O'Conally had imparted; which made so sensible an impression on his colleague, as, (the discoverer being let go,) he grew infinitely concerned thereat, having none to punish, if the story should prove false, or means to learn more, were it true.

71. "In the disturbance of which perplexity, Owen O'Conally comes, (or, as others write, was brought,) where the lords justices were then met; sensible that his discovery was not thoroughly believed, professing that whatever he had acquainted the lord Parsons with, (touching the conspiracy,) was true:

72. "And could he but repose himself, *(the effect of drink being still upon him,)* he should discover more!

73. "Whereupon *he had the conveniency of a bed!!!*"—BORLACE, 20.

74. "In the interim, the lords justices summoned as many of the council as they could give notice to, to their assistance that night at Chichester house.

75. "Sir Thomas Rotheram, and sir Robert Meredith, chancellor of the exchequer, came immediately to them.

76. "They then with all diligence secured the gates of the city,† with such as they could most confide in, and strengthened the warders of the castle, (which were

* After having set a guard on his house the preceding night, they required all this variety of information, to "*gather that the lord Macguire was to be an actor in surprising the castle of Dublin!*"

† "They secured the gates of the city."] That is to say, the conspirators were "*in the town*"—and they "*out of town*"—they therefore must have shut themselves out.

a few inconsiderable men,) with their foot guard,* usually attending their persons, *charging the mayor and his brethren to be watchful of all persons that should walk the streets that night ! ! !*—Borlace, 20.

77. "Hugh Oge Mac-Mahon, Esq. grandson by his mother to the traitor Tir-Owen, a gentleman of good fortune in the county of Monaghan, who had served as a lieutenant-colonel in the king of Spain's quarters, was, after some little resistance, apprehended *before day in his own lodgings*, over the water, near the Inns, and brought to Chichester house;

78. "Where, upon examination, he did, without much difficulty, confess the plot, resolutely telling them, That ON THAT VERY DAY," [*it was now about five in the morning, the 23d of Oct.* 1641 *! ! !*] "that all the forts and strong places in Ireland would be taken," &c. &c.—*Ibid.*

79. "Before Mac-Mahon was apprehended, O'Conally, having *on his repose* recovered himself, had his examination taken, in these words:" [as before.]—*Ibid.*

Analysis of the foregoing legend.

I. A Roman Catholic colonel is engaged in a plot, the object of which is "*to massacre all the Protestants in the kingdom*," "except those who would join" in murdering their brethren.

II. This colonel, in want of a confederate, sends about forty-five miles to O'Conally, *a Protestant*, to reveal to him this project!!!

III. O'Conally, who, in order to attach importance to his testimony, in some of the statements is styled "*a gentleman*," is, in fact and in truth, merely *a servant* to sir John Clotworthy, *one of the most envenomed enemies of the Roman Catholics*, and, of course, a very suitable person to be entrusted with such a secret, and very worthy to be sent for to a place distant forty-five miles.

IV. O'Conally receives a letter on *Tuesday*, the 19th of October, at what hour is not known,—say nine o'clock, A. M. and, *wholly ignorant of the nature of the affair* which leads to the invitation, makes all his preparations at once, and commences his journey, we will suppose, about noon the same day.

V. He arrives, *on Wednesday night*, the 20th, at Conaught, after a journey of about forty-five miles: and be it observed, *en passant*, that a journey of forty-five miles, at that period, was nearly as arduous an undertaking, and required almost as much preparation, as a journey of five hundred at present.

VI. Colonel Mac-Mahon, whose invitation had given O'Conally the option of coming on Wednesday OR *Thursday*, so far broke his engagement, that he had started, *on Wednesday*, for Dublin, previous to O'Conally's arrival, which took place on the night of that day.

VII. O'Conally, nothing discouraged by the breach of engagement on the part of the colonel, follows him to Dublin.

VIII. He arrives in that city on the memorable Friday, the 22d of October, "about six o'clock in the evening" ONE HOUR AFTER SUNSET.

IX. Conaught, in Monaghan, is not to be found on any map. I will therefore suppose it to have been in the centre of the county.

X. Monimore, by Pinkerton's map, is about forty miles in a direct

* "The footguard.] Thus the safety of the city was confided, at a time of such imminent danger, to "*the warders*" "a few *inconsiderable men*," and "the footguard" of the lords justices, "*usually attending their persons*," which cannot be presumed to have been more than ten or a dozen at most!

line from the centre of the County of Monaghan—and this centre is about sixty miles also in a direct line from Dublin. The whole distance must, by the usual circuitous windings of the road, have been *at the very least one hundred and ten miles!!!*

XI. The climate of Ireland is very moist. Rains are generally abundant, particularly in autumn. Of course, *the roads at that season were very probably miry, and difficult to travel!*

XII. It thus appears, that O'Connally has performed a journey of about forty-five miles in a day and a half!! that is, from mid-day on Tuesday, to Wednesday night: and a hundred and ten in three days and a half!! at a season of the year, when THE SUN ROSE ABOUT SEVEN, AND SET ABOUT FIVE!!! and this exploit was accomplished at a time when there were no diligences, post-coaches, post-chaises, or steamboats, to ensure expedition; when, the roads were in all probability in very bad order, and when, moreover, the traveller knew nothing of the murderous business in which he was invited to participate!!

XIII. Nothing discouraged by the fatigue of his journey of a hundred and ten miles, nor by his previous disappointment, nor by the darkness of the evening, he commences a search for the lodgings of an entire stranger who had arrived that evening!!! Wonderful to tell, and impossible to be believed, he is said to have succeeded, and to have found out the stranger's lodgings! And let it not be forgotten, that on this night *the moon was invisible*,* a circumstance admirably calculated to aid his researches!!!

XIV. Although the colonel was engaged in a plot to explode *next day, at ten o'clock, A. M.* O'Connally finds him alone, *between six and seven*† *o'clock on Friday evening, in the suburbs.* He appears to have seen none of his brother conspirators before nine, at which time O'Connally left him.

XV. The colonel takes him to the lodgings of a brother conspirator "*into town*," at the distance, probably, of a mile or two.

XVI. This conspirator not being at home, the colonel, after having taken a drink of beer with his new friend, freely communicates "that there were and would be, this night, great numbers of noblemen and gentlemen of the Irish, from all parts of the kingdom," whose object was "*to cut off all the Protestants that would not join them.*"—TEMPLE, 20.

XVII. And they then went back to "*the said Hugh his lodgings*," in the suburbs, "near Oxmantown," where O'Connally drank till he was drunk.

XVIII. O'Connally notwithstanding this untoward circumstance, and that he was, two hours afterwards, unable to relate a consistent story, was alert enough "*to leap over a wall, and afterwards over two pales.*"

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* *Extract of a letter from the Vice-Provost of the University of Pennsylvania.*

"Dear Sir, January 6, 1819.

"I find that it was *New Moon*, at Dublin, at about two o'clock in the morning of the 24th of October, 1641, O. S. Consequently the moon must have been *invisible* on the whole night of the 22d-23d of that month.

"Yours, &c.

"MR. M. CAREY. "R. M. PATTERSON."

† It must have required some time to find out Mac-Mahon's lodgings.

XIX. Notwithstanding his disordered state, he was able to find his way to sir William Parsons, *in the town*, to whom he communicated the whole affair.

XX. Here let us observe that this very sir William had received information of a plot, several days before, from sir William Cole, "*upon the very first apprehension of something he conceived to be hatching among the Irish!*"—Idem, 18.

XXI. And further, that this lord justice had written to sir William Cole, "to be very vigilant in inquiring into the occasion of those meetings;" whereby it appears that he had suspicions of a conspiracy.

XXII. Notwithstanding this information, sir William Parsons, who was jealous of some plot "hatching among the Irish;" who, of course, ought to be on the *qui vive*, and to take alarm on the slightest intimation of any scheme of that kind; when he received this "broken relation of a matter *so incredible in itself, gave very little belief to it at first*, in regard it came from an obscure person, and one, as he conceived, *somewhat distempered* at that time."—*Ibid.*

XXIII. "His lordship," with most wonderful sagacity, "hearing this broken relation" of a plot, to explode in about twelve or thirteen hours, for the purpose of cutting the throats of all the Protestants, sends the informer!! between nine and ten at night!! with "order to go again to Mac-Mahon, and get out of him as much certainty of the plot as he could!!!"—*Idem*, 19.

XXIV. This informer who "*had been drinking somewhat liberallly*"—and was "*somewhat distempered at the time*" was a most admirable spy to make further discoveries, and "to get out of Mac-Mahon as much certainty of the plot, with as many particular circumstances as he could!!! His fitness for this employment at such a critical moment, was further proved by the circumstance that on his return he was so far intoxicated, "*the effects of drink being still upon him*," that he could not give in his testimony, till he had slept himself sober!!! Therefore, the "conveniency of a bed" being afforded him, "on his repose, having recovered himself, he had his examination taken."

XXV. After sending O'Conally to Mac-Mahon's lodgings, with strict orders "to return back unto him the same evening," sir William went "*privately*, at about ten of the clock that night, to lord Borlace's house, "WITHOUT THE TOWN,"—whereas O'Conally was directed to come to him at his house "IN THE TOWN."

XXVI. "They sent for such of the council as they knew then to be IN THE TOWN," to lord Borlace's house, "WITHOUT THE TOWN."

XXVII. There they fell into deep consultation "what was fit to be done, attending the *return* of O'Conally."

XXVIII. They then sent in search of him, and found that he had been taken by the watch, and rescued by the servants of sir William Parsons, "who had been sent, amongst others, to walk the streets, and attend his motion."—*Ibid.*

XXIX. "Sensible that his discovery was not thoroughly believed, he professed that whatever he had acquainted the lord Parsons with, was true; and could he but repose himself, (*The effects of drink being still upon him*,) he should discover more."

XXX. "*Whereupon he had the conveniency of a bed.*"—BORLACE, 20.

XXXI. "Having, (on his repose,) *recovered himself*," he gave in his deposition.

XXXII. This is dated the 22d, and of course must have been made before twelve o'clock.

XXXIII. This deposition gave a full detail of a most murderous plot, whereby "*all the Protestants and English, throughout the whole kingdom, were to be cut off the next morning.*"

XXXIV. Possessed of this deposition, which required the most decisive measures of precaution, it becomes a serious question, what did the lords justices do? On this point the whole merits of the question might be rested; and indeed the investigation of any other might be wholly omitted. The answer is, "*They took present order to have a watch privately set upon the lodgings of Mac-Mahon, as also upon the lord Macguire!!!*"

XXXV. Thus in a plain, simple case, in which a school-boy of ten years old could have at once pointed out the course to be pursued, they spend no less than *five precious hours*, "*in consultation*," and in devising ways and means for the public safety, notwithstanding that the sword, not of Damocles, but of Mac-Mahon, and his bloody-minded associates, hung over them. "They sate up all that night in consultation," "having far stronger presumptions,* upon the latter examination taken, than any ways at first they could entertain."—TEMPLE, 21.

XXXVI. The result of their long and painful consultation, from twelve o'clock at night till five in the morning, was, that at that late hour, they at length adopted the resolution of apprehending Mac-Mahon!!!!!!

XXXVII. The lords justices had received the names of some of the principal conspirators from O'Conally, and, among the rest, of lord Macguire; had "*privately set a watch*, on Friday night," at his lodgings; they must of course have known that he was equally implicated with Mac-Mahon, and equally demanded the exercise of their vigilance: and yet they did not think of arresting him, until after the seizure of the latter, and "a conference with him and others, and *calling to mind a letter received the week before from sir William Cole*," they "gathered" that he "was to be an actor in surprising the castle of Dublin!"—TEMPLE, 28.

XXXVIII. Owen O'Conally swears, that "in all parts of the kingdom, all the English inhabiting there," are to be "destroyed *to-morrow morning*;" but, in the very next sentence he swears, "that all the Protestants, in all the seaports, and other towns in the kingdom, should be killed *this night*." It is not easy to conceive, how, after they were "*all killed*" on Friday night, they could be "*all destroyed* on Saturday morning.

XXXIX. O'Conally's deposition states, that the massacre is to begin at "ten o'clock on the 23d;" to be general "in all parts of the kingdom;" that all the English inhabitants are to be cut off; and that "all the posts that could be, could not prevent it." As this is the car-

* O'Conally swore positively that there was a conspiracy "to murder all the Protestants that would not join" with the conspirators. Yet the justices from this unequivocal testimony only derived "*presumptions*" of their danger!

dinal point in the affair, on which the whole turns, if it can be proved to be so unequivocally false and groundless, as to be utterly destitute of even the shadow of truth, then is the entire story a fabrication, and O'Conally a perjurer.

XL. That this explosion did not take place; and that, of course, there could not possibly have been a general conspiracy, there is superabandant testimony, as will appear in the subsequent paragraphs.

XLI. I will first premise, that, as the arrest of Mac-Mahon and Macguire, in consequence of the pretended discovery of the sham plot, took place on the 23d of October, *at five o'clock in the morning*, just five hours before the time fixed for commencing the massacre, this circumstance could not have prevented an explosion in any other part of the kingdom, except in a very small portion of the circumjacent country.

XLII. Yet on Monday, the 25th of October, the lords justices wrote an elaborate and detailed account of the proceedings of the insurgents in the north of Ireland, with a prolix statement of various outrages, not only without the least hint or surmise, but even with an utter exclusion of every idea, of murder or shadow of blood.

XLIII. And further, I invoke the most earnest attention of the reader to this all-important fact—Notwithstanding the pretended generality of the plot, the lords justices, by public proclamation, on the 29th of October, declared that the insurrection was confined to "the mere old Irish of the province of Ulster, and others who adhered to them!!!"—Temple, 34.

XLIV. These two strong facts prove that such parts of O'Conally's deposition as relate to the general extent of the conspiracy, and the plot to "cut off all the Protestants throughout the kingdom," are wholly false, and that he of course was an abandoned perjurer; and would decide the question on these vital points, beyond appeal or controversy. But much stronger evidence remains behind, derived from Temple, Borlace, Carte, Leland, and Warner, to which I now invite the attention of the reader.

XLV. Munster *continued tranquil for six weeks*, although, according to the testimony of Warner, *it contained but one troop of horse:** and of course, when defended by such an insignificant force, had there been any reality in the plot, the Irish could and would have totally overwhelmed their oppressors.†

* "In the province of Munster, of which sir William St. Leger was lord president, the English were very numerous, and ready to assemble in a body to preserve the peace and safety of the country. But they were utterly destitute of arms; and all the solicitations made by sir William, which were strong and numerous, could not persuade the lords justices and council to spare him any. He was a brave old soldier, of great experience and activity; and did every thing that it was possible for a man to do *with one troop of horse, which was all his guard for the whole province*; a guard scarcely sufficient to repress the insolence of robbers, in a time of profound peace, much less in a time of such general spoil and disturbance. But, with the assistance of the noblemen and gentry of the province, ☞*it continued quiet for above six weeks!!!* Indeed, no man of quality, or gentleman of English blood, either Papist or Protestant, had as yet joined the rebels."—Warner, 130.

† There is a discrepancy between Temple and Borlace as to the time when the

XLVI. Connaught was in the same state for six weeks, principally owing to the influence of lord Clanrickarde, a Roman Catholic.*

XLVII. Leinster was likewise tranquil, except some outrages of small importance, until the beginning of December; as the summons to the lords of the Pale to come to Dublin, to consult on the affairs of state, was dated the 3d of that month, at which time there was no appearance of serious disturbance; and the butchery at Santry, by the sanguinary, atrocious and merciless ruffian, sir Charles Coote,† which was obviously intended to provoke, and actually led to, the insurrection in that province, took place on the 7th.

XLVIII. And further, we have the testimony of Warner and Carte,‡

insurrection commenced in Munster; the former stating it "the beginning," and the latter "the midst," of December. This does not, however, affect the disproof of O'Conally's deposition, which, in either case, is notoriously false.

"The flame having marched through Ulster and Leinster, it discovers its fury, *about the beginning of December*, 1641, in Munster, which province till that time, (by the moderation of the state,) had stifled its rage, then expressing its consent with the other provinces."—Borlace, 49.

"The whole province of Munster, *about the midst of this month of December*, began to declare themselves in open rebellion."—Temple, 155.

"In Munster, sir William St. Leger, the lord president, a soldier of activity and experience, and possessed even with an inveteracy against the Irish, could not obtain arms or soldiers sufficient for a time of peace, much less *for a juncture of distraction and disorder*. Yet the strength of the English Protestants, and *the loyalty of the Irish gentry, as yet, preserved his province from any material disorder*."—Leland, III. 158.

* "The lord Ranelagh was president of Connaught: and all that province, except a few pillagers in the county of Sligo, had, owing in a great measure to the forward zeal and activity of lord Clanrickarde, though a Roman Catholic, till this time, continued quiet."—Warner, 157.

"The infection of the pale having spread in the remoter parts, *about the middle of December*, the whole province of Connaught in a manner revolted, the county of Galway, of which lord Clanrickarde was governor, excepted."—*Idem.*

"The peace and security of Connaught were equally neglected by the chief governors, although *the English power was inconsiderable in this province*, and the Irish natives kept in continual alarm for twenty-five years, by the project of a general plantation, which, though suspended, had not been formally relinquished. *Yet, here too, the good affections of the principal inhabitants stemmed the torrent of rebellion.*"—Leland, III. 158.

† "The town being left at his [Sir Charles Coote's] mercy, *to which he appears to be a stranger*, he put to death several persons, *without distinction of age or sex!!!* in revenge of the several spoils committed on the English in those parts."—Warner, 135.

"In revenge of their depredations, he [Sir Charles Coote] committed *such unprovoked, such ruthless, and indiscriminate carnage* in the town, as rivalled the utmost extravagancies of the Northerns."—Leland, III. 168.

‡ "Had the lords justices and council acquitted themselves like men of probity and understanding, there was time enough given them to suppress an insurrection *which for six weeks was confined almost to the province of Ulster*, without any chief which was so considerable as sir Phelim O'Neal."—Warner, 130.

"*No one nobleman of the kingdom, nor any eslated gentleman of English race*, engaged in the rebellion, or joined with the rebels in action, *till the month of December*; for as to those gentlemen of the county of Louth, who submitted to them before, being unable to defend themselves or to make resistance, they had not yet appeared in action. *The rebellion till then had been carried on by the mere Irish*, and CONFINED TO ULSTER, *to some few counties in Leinster, and that of Leitrim, in Connaught.*"—Carte, I. 243.

that the insurrection was *for about six weeks* confined almost wholly to the province of Ulster.

XLIX. That the original views of the insurgents did not comprehend a general massacre, or even single murders, we have further testimony, clear and decisive, derived even from Temple, as well as Warner, and Leland, which, independent of all other proof, would be sufficient to settle this question forever, and utterly overwhelm O'Conally's perjured legend.*

L. Moreover, if there had been a plot for a general insurrection, and such a massacre as O'Conally swore to,† there would have been evidence produced from some of the conspirators: but notwithstanding the lords justices had recourse to the execrable aid of the rack, and put Mac-Mahon and others to the torture, there is not, in the examinations of the former, a single word to corroborate the sanguinary part of O'Conally's deposition. The examinations of the rest were never published.

LI. There is not to be found in Temple, Borlace, Carte, Warner, Leland, Clarendon, nor, as far as I have seen, in Rushworth, the examination of a single person engaged in a conspiracy which was said to have extended throughout the whole kingdom, except those of Mac-Mahon and lord Macguire!!!! That of the latter was not taken till March 1642.

Perhaps the preceding analysis of this miserable legend† might supersede the necessity of adding any thing further on the subject. But its great importance, and a deep solicitude to dispel the thick mists with which prejudice and fraud have overspread it, induce me to place it in a new form, and bring it more home to the mind of the reader. The reasons for adopting this measure, which might otherwise appear a work of supererogation, will probably so far satisfy the reader, as to preclude the necessity of an apology,

Queries.

Is there a man in the world who can seriously believe:

I. That a *Catholic* COLONEL, engaged in a plot to murder the *Protestants*, would send forty-five miles for a *Protestant*, SERVANT to a *Protestant* gentleman, an inveterate enemy to the Roman Catholics, as an accomplice?

II. That a journey of a hundred and ten miles could be performed in three days and a half, *the sun rising about seven, and setting about five*, at a season of the year when the rains, then usually prevalent, must have rendered the roads almost impassable; and by a man who

* "It was resolved" by the insurgents "*not to kill any*, but where of necessity they should be forced thereunto by opposition."—TEMPLE, 65.

† It is a subject of astonishment and deep regret that the Rev. Mr. Lingard, from whom a more correct course might have been expected, refers to this miserable legend, as if it were an authentic document, which has the broad seal of fraud, perjury and forgery, as completely stamped on its forehead, as the plot of Titus Oates, Bedlow, Dangerfield, and the *crafty lord Shaftesbury*. This is a melancholy proof how little dependence can be placed on history in general, when a respectable historian, without any temptation to make a misstatement, has fallen into such an egregrious and I may say such an unpardonable error.

knew nothing of the business which led to the summons he had received, and who, of course, had no temptation to make any extraordinary exertion?

III. That a stranger, arriving in the suburbs of a city *an hour after sun-set*, and fatigued with a long journey, should, *without any aid from the moon*, immediately commence a search for and actually find out the lodgings of another stranger, who had arrived a few hours before?

IV. That sir William Parsons, who had, at nine in the evening, received intelligence of a plot, to explode at ten the next morning, and the names of some of the principal conspirators, should be so misguided, as to send back the drunken informer, "to get out of Mac-Mahon as much certainty of the plot as he could," instead of immediately apprehending the conspirators?

V. That being "*in town*," he would have gone "*without the town*," and sent there for such of the council as lived "*in town*," when such an awful explosion was likely to take place?

VI. That when the informer returned to the lords justices, he would be allowed to go to bed, before taking his examinations?

VII. That the lords justices would have remained all night, and until five o'clock in the morning, at lord Borlace's house, *without the town*, with closed gates, thus shutting themselves out from the defence of the castle.

VIII. That when O'Conally had slept himself sober, and made circumstantial deposition of such alarming particulars, the council would have been such idiots as to take no other precaution than merely "to have a watch set privately upon the lodgings of Mac-Mahon, and also upon lord Macguire," as if they had been plotting to rob orchards or hen-roosts, to bar out a school-master, break lamps in a midnight frolic, or attack the watchmen, instead of plotting to seize the castle, subvert the government, and cut the throats of a hundred thousand people?

IX. That the privy council would not, under such circumstances, have instantly apprehended the conspirators, instead of "sitting all night in council," upon one of the simplest points ever discussed, and which could have been decided in five minutes, as well as in five hours, five weeks, or five years; on which the most prompt and decisive measures were imperiously necessary; and at a moment when, if there were any truth in the statement of O'Conally, the salvation or destruction of the state might depend on a single hour?

X. That having taken the precaution, on Friday night, of "setting a watch privately upon the lodgings of lord Macguire," thereby establishing their belief that he was an accomplice in the plot, they would not have arrested him at the same time they arrested Mac-Mahon, but waited "till conference with the latter and others, and calling to mind Sir William Cole's letter," which led them to "gather that the lord Macguire was to be an actor in surprising the castle of Dublin?"

XI. That a conspiracy, which was to explode throughout the whole kingdom on the 23d of October, should be arrested in Leinster, Connaught, and Munster, by the detection of it, in Dublin, a few hours before the appointed time?

XII. That if it had been intended to murder "all the Protestants *throughout the kingdom*," who "would not join the conspirators," there would have been no intelligence of a single murder on the 25th,

or that, on the 29th, the lords justices should explicitly declare, that the insurrection was "confined to the mere old Irish in the province of Ulster, and others who had joined them?"

XIII. That though the lords justices had recourse to the execrable expedient of putting Mac-Mahon and others to the rack, they should not have extorted a word from any of them, to support the charge of murderous intentions, if any conspiracy had existed, for "cutting off all the Protestants and English throughout the kingdom?"

XIV. That no examinations should have ever been taken of any other of the conspirators?

XV. That if there were a general conspiracy, and of course a large assemblage of people in Dublin, for the purpose of seizing the castle on the 23d, the lords justices would not have been able, on the morning of that day, to apprehend more than two of the leaders and a few common servants?

XVI. That to execute an enterprize of which the success absolutely depended on promptitude and secrecy, people would be collected from all the thirty-two counties of Ireland, at various distances, ten, twenty, thirty, fifty, one hundred, and one hundred and fifty miles from the scene of operation?

XVII. And finally, whether, the deposition of O'Conally being incontrovertibly established as false, and he of course perjured, in the two vital points,—

I. The universality of the plot, and

II. The determination to masacre all who would not join in it,

There can be any credit whatever attached to the remainder of his testimony? And whether it does not necessarily follow, that the whole was a manifest fraud and imposture, designed to provoke insurrection, and lead to its usual and inevitable result,—confiscation?

Before the reader decides on answers to these queries, it is hoped he will bear in mind the strong facts adduced in Chapter XXI. to prove that the seventeenth century was, in the fullest sense of the word, the age of perjury, forgery, and fabricated plots. He will there see, that in London, the boasted courts of justice were at that period, mere slaughter-houses, where the depositions of men, stained and covered over with crimes of the most atrocious nature, as the leopard is covered with spots, were received without hesitation in cases where the lives of innocent men were at stake, and were finally immolated. He will likewise behold the horrible fact, that the testimony of a man *whose perjury was detected in open court, and there confessed by himself*, was afterwards admitted, and was the means of consigning innocent persons to the ignominious death of the gallows.

Let him also bear in mind, that forged plots, supported by perjury, had been one of the regular and uniform machines of the government of Ireland, from the invasion to that period; and steadily from the restoration in 1660, till the revolution in 1688; and had produced the forfeiture of millions of acres.

And further, let it not be forgotten, that all the writers, Clarendon, Carte, Warner, Leland, Gordon, &c. agree, that the grand object of the lords justices was, in the beginning, to extend the flames of civil war; and, when the insurrection had by these means become general,

to prevent a cessation of hostilities, for the purpose of producing extensive confiscations.

With all these strong facts taken into view, I then invite a decision; and entertain no doubt of a favourable verdict.

On this subject I have no hesitation in pledging myself, that if any independent and upright judge or lawyer, of any court in France, Germany, England, Scotland, Ireland, or the United States, will pronounce affirmative answers to the above queries, so as to imply a belief in the reality of the conspiracy, as deposed to by the "Protestant gentleman," alias "*servant*," I will cheerfully suppress this work, and consent to have it burned by the hands of the common hangman.

CHAPTER XXIII.

Plan for the extermination of all the Catholic inhabitants of Ireland.

"O thou Almighty! awful and supreme!
Redress, revenge an injur'd nation's wrongs!
Show'r down your curses on the tyrants' heads.
Arise the judge! Display your vengeance on them.
Blast all their black designs: and let them feel
The anxious pains with which the country groans."—*Martin.*

However shocking and incredible it may appear, it is established, by the concurring testimony of Clarendon, Carte, Warner, Leland, and nearly all the other writers, that the predominant party in England and Ireland, cherished, for a considerable time, the bloodthirsty and barbarous project of an utter extirpation of the Catholics, and the establishment of new plantations throughout the kingdom.* To the attain-

* "The favourite object of the Irish governors, and the English parliament, was the *utter* EXTERMINATION *of all the Catholic inhabitants of Ireland!* Their estates were already marked out and allotted to their conquerors; so that they and their posterity were consigned to inevitable ruin."—Leland, III. 192.

"It is evident from their [the lords justices] last letter to the lieutenant, that they hoped for *an* EXTIRPATION, *not of the mere Irish only, but of all the old English families that were Roman Catholics.*"—Warner, 176.

"The parliament party, who had heaped so many reproaches and calumnies upon the king, for his clemency to the Irish, who had grounded their own authority and strength upon such foundations as were inconsistent with any toleration of the Roman Catholic religion, and even *with any humanity to the Irish nation*, and more especially to those of the old native extraction *the whole race whereof they had upon the matter sworn to* EXTIRPATE, &c. &c."—Clarendon, I. 215.

"If it be more needful to dispose of places out of hand, and that it may stand with his majesty's pleasure to fill some of them with Irish that are Protestants, and *that have not been for the* EXTIRPATION *of the Papist natives*, it will much satisfy both, and cannot justly be excepted against."—Carte, III, 226.

"Mr. Brent landed lately here, and hath brought with him such letters as have somewhat changed the face of this government from what it was, when the parliament pamphlets were received as oracles, their commands obeyed as laws, and EXTIRPATION *preached for Gospel.*"—Carte, III. 170.

"Though *extirpation both of nation and religion* be not named, yet I conceive *it is contrived almost in every proposition:* and the consideration thereof confirms me in a full belief of the malicious practices of the Cootes and Ormsbyes, in the county of Roscommon."—*Idem*, 311.

"*The term of* EXTIRPATION *is worn out here*, and the intention not acknowledged to me by the prime authors therein, with whom I have been plain after my blunt way."—*Idem*, 155.

"The reason of their [the justices] advice is founded upon *their darling scheme of an* EXTIRPATION *of the old English proprietors, and a general plantation of the whole kingdom with a new colony;* for this is the meaning of what they allege, to show it to be "unsafe for his majesty, and destructive to the kingdom, to grant the petitioners' request; as being altogether inconsistent with the *means of*

ment of this nefarious object, all their measures were invariably directed: nor did they abandon it from its inhumanity, but from finding it utterly impracticable.

raising a considerable revenue for his crown, of settling religion and civility in the kingdom; and of establishing a firm and lasting peace, to the honour of his majesty, the safety of his royal posterity, and the comfort of all his faithful subjects."—CARTE, I. 391.

"These difficulties and considerations were of little weight with the lords justices; who, having got a thin house of commons to their mind, of persons devoted to their interests and measures, resolved to improve the opportunity offered, and to get such acts passed, as might distress the king, *exasperate the bulk of the nation, spread the rebellion, and so promote their darling scheme of* EXTIRPATING *the old proprietors, and making a new plantation of the kingdom.*"—Idem, 330.

"Such considerations as these were not agreeable to the views of the lords justices, *who had set their hearts on the* EXTIRPATION, *not only of the mere Irish, but likewise of all the old English families that were Roman Catholics,* and the making of a new plantation all over the kingdom; in which as they could not fail to have a principal share; so all their reasonings, upon all occasions, were calculated and intended to promote that their favourite scheme."—*Idem*, 293.

"These measures *served their own scheme of an* EXTIRPATION, by racking those gentlemen, whose treatment could not fail of deterring every body from venturing themselves into their power for the future."—*Idem*, 301.

"These propositions certainly came from some of *that party of men which first formed the design of an* EXTIRPATION *of the Roman Catholics, and, by publishing that design, made the rebellion so general as it proved at last.* They all breathed the same spirit; and *though* EXTIRPATION *both of nation and religion was not expressly mentioned,* yet it seemed to be contrived effectually in all the propositions. They appeared so monstrous and unreasonable, that it was thought they could proceed from nothing but a high degree of madness or malice."—*Idem*, 502.

"There is too much reason to think, that, as the lords justices really wished the rebellion to spread, and more gentlemen of estates to be involved in it, that THE FORFEITURES MIGHT BE THE GREATER, *and a general plantation be carried on by a new set of English Protestants, all over the kingdom,* TO THE RUIN AND EXPULSION OF ALL THE OLD ENGLISH AND NATIVES THAT WERE ROMAN CATHOLICS; so, to promote what they wished, they gave out speeches upon occasions, insinuating such a design, and that *in a short time there would not be a Roman Catholic left in the kingdom.* It is no small confirmation of this notion, that the earl of Ormonde, in his letters of January 27th, and February 25th, 1641-2, to sir W. St. Leger, imputes the general revolt of the nation, then far advanced, to the publishing of such a design; and when a person of his great modesty and temper, the most averse in his nature to speak his sentiments of what he could not but condemn in others, and who, when obliged to do so, does it always in the gentlest expressions, is drawn to express such an opinion, the case must be very notorious. I do not find that the copies of those letters are preserved: but the original of sir W. St. Leger's, in answer to them, sufficiently shows it to be his lordship's opinion; for, after acknowledging the receipt of these two letters, he useth these words, *The undue promulgation of that severe determination, to* EXTIRPATE *the Irish and papacy out of this kingdom, your lordship rightly apprehends to be too unseasonably published.*"—CARTE, I. 263.

CHAPTER XXIV.

Rapacious project for confiscating the possessions of all the Roman Catholics of Ireland.

"Insatiate plunderers—
Grasp'd the beauteous island's wide domains."
Anonymous.

Identified with the sanguinary project of "*exterminating*" the devoted Roman Catholics, was that of confiscating the whole of their estates throughout the island, for the aggrandizement of their sworn enemies. The evidences adduced in support of the exterminating scheme, might suffice to establish that of confiscation. But I wish to "*make assurance doubly sure*," and shall therefore submit a document, which cannot fail to satisfy the reader, that I have not overrated the extravagant and rapacious thirst that prevailed with the predominant party in England and Ireland, for the possessions of the Irish Catholics. The insurrection began in Ulster, on the 23d of October, 1641, and did not spread into the other provinces for several weeks: nor was it in any degree general, *till late in December*. Even at that period, there were very large portions of the country, particularly in Connaught and Munster, which were wholly free from rebellion, notwithstanding the efforts of the lords justices to goad them into it. Yet so early as the 16th of February, 1642, (that is, about two months after the spread of the insurrection, and less than four months from the explosion of O'Conally's sham plot,) a company of adventurers was formed in London, who calculated on *the forfeiture of the whole island, except what belonged to the Protestants*. This extravagant project is fortunately recorded, at full length, in the Journals of the English House of Commons. These adventurers presented an address to Parliament, stating, that when "the work of reducing the kingdom of Ireland" [that is of exterminating the most of the Roman Catholics] was "finished," there would be "*of confiscated lands*, such as go under the name of *profitable lands*," no less than "TEN MILLIONS OF ACRES!!" They proposed to raise money to suppress the rebellion by the sale of a portion of those lands.

According to sir William Petty's calculation, there were but two-thirds of the surface of Ireland, which were called "*profitable lands*;" the remaining third consisting of "highways, loughs, impassable bogs, rocks, shrubs, and coarse lands."—Petty, 1. As the whole contents of Ireland are only about nineteen millions of acres, it is clear, that nothing short of a general extirpation of the natives, and as general a confiscation of their estates, was contemplated; for, deducting the "unprofitable lands," and the possessions of the Protestants, there would

not remain above ten millions of acres.* This measure was adopted from principles of Machiavelian policy, to drive the Catholics to desperation, by shutting the door against all hopes of retreat. Tyrants and conquerors, leading devastating armies in their train, have often grasped at *millions of acres:* but, throughout the wide range of the history of private rapine and spoil, there is no parallel case, except, perhaps, in Hindostan, during the last hundred years. TEN MILLIONS OF ACRES TO BE FORFEITED! What an appalling idea this inspires of the deplorable state of the victims, and the ferocity, rapacity, and barbarity of those who offered them up as holocausts on the altars of rapine and bigotry!

The English parliament readily acquiesced in the proposal; and immediately passed an act,† for the purpose of carrying it into effect. But, as they probably felt ashamed to recognize the extravagant grasp

* "*February* 1, 1641-2.

Proposition made by divers gentlemen, citizens, and others, for the speedy and effectual reducing of the kingdom of Ireland.

1st. They do compute that less than a million of money will not perfect that work.

2d. They do conceive, that the work being finished, there will be in that kingdom, of confiscated lands, such as go under the name of profitable lands, TEN MILLIONS OF ACRES, English measure!!!

3d. That two millions and a half of those acres, to be equally taken out of the four provinces, will sufficiently satisfy those that shall advance this million of money.

4th. That the two millions and a half of acres may be divided amongst them after this proportion, viz.

For each adventurer of 200*l.* a thousand acres in Ulster.
300*l.* a thousand acres in Connaught.
450*l.* a thousand acres in Munster.
600*l.* a thousand acres in Leinster,
All English measure.

Consisting of meadow, arable and profitable pasture: *the bogs, woods, and barren mountains, being cast in, over and above!*

These two million and a half of acres to be holden in free and common socage of the king, as of his castle of Dublin.

5th. That out of these two millions and a half of acres, a constant rent shall be reserved to the crown of England, after this proportion, viz.

Out of each acre thereof in	
Ulster,	1*d.*
Connaught,	2½*d.*
Munster,	2¼*d.*
Leinster,	3*d.*

Whereby his majesty's revenue, out of those lands, will be much improved, besides the advantage he will have, by the coming to his hands of ALL OTHER THE LANDS OF THE REBELS AND THEIR PERSONAL ESTATES, without any charge to his majesty."—JOURNALS, II. 435.

† "Whereas, divers worthy and well affected persons, perceiving that many millions of acres of the rebels' lands of that kingdom, which go under the name of profitable lands, will be confiscate and to be disposed of, and that in that case two millions and a half of those acres, to be equally taken out of the four provinces of that kingdom, may be allotted for the satisfaction of such persons as shall disburse any sums of money, for the reducing of the rebels there, which would effectually accomplish the same, have made these propositions ensuing," &c. &c. as before.—RUSHWORTH, IV. 556.

at "ten millions of acres," they made a slight variation in the phraseology, and substituted "many millions."

"The commons of England had very early petitioned that the king would not alienate any of the escheated lands, that might accrue to the crown from the rebellion in Ireland: and they had lately proceeded in a scheme for raising money from the lands thus expected to escheat. A bill was framed for repaying those who should advance certain sums, for suppressing the rebels, (as was pretended,) by vesting them with proportional estates in Ireland, on terms highly advantageous to a new English plantation. *It evidently tended to exasperate the malcontents, and to make all accommodation desperate:* but it was not on this account less acceptable to the popular leaders."—LELAND, III. 186.

CHAPTER XXV.

Nefarious views and operations of the lords justices to drive the Irish to desperation, and to extend the insurrection throughout the whole kingdom. Munster. St. Leger's ferocious and murderous career. Connaught. Clanrickarde. Adjournment of Parliament. Rack and martial law. Insidious and nugatory proclamation of pardon. Submissions rejected. Religious persecution. Hypocrisy of cloaking the sanguinary proceedings of the lords justices with a pretence of supporting religion and propagating the gospel! ! !

> "Remember him, the villain, righteous heaven,
> In thy great day of vengeance! *Blast the traitor,*
> *And his pernicious counsels, who, for wealth,*
> *For pow'r, the pride of greatness, or revenge,*
> *Would keep his native land in civil wars;*
> When murders, rapes, and massacres prevail;
> When churches, palaces, and cities blaze,
> And desolation covers all the land."—*Rowe.*

Having established, beyond the possibility of doubt, by the concurring and unexceptionable testimony of Clarendon, Carte, Leland, and Warner, that the execrable project of *extirpating the Irish Roman Catholics*, was long cherished by the ruling party in England and Ireland;—and, by the journals of the English house of commons, that the confiscation of nearly all "the profitable lands," in the kingdom, except those owned by Protestants, was unblushingly submitted by some of the most influential leaders of public opinion in England, to the English parliament, and partly acted upon by them; it now remains to detail the various measures adopted by the lords justices to accomplish their nefarious purposes; to spread the flames of civil war throughout the whole island; and, as far as possible, to prevent all chance of the restoration of peace. These measures were wonderfully well adapted to the purpose, and could not possibly fail to produce the desired effect.

1. Their officers, particularly St. Leger, had recourse to plunder, arson, and the slaughter of unoffending inhabitants, to goad the Catholics into insurrection.

2. They sacrificed numbers of innocent people by martial law—and tortured on the rack sir John Reed and Mr. Barnwell, two gentlemen of undoubted loyalty, the former of whom they had invited into Dublin to a conference; and this took place at a time when they invited the nobility and gentry of the Pale to a conference in that city.

3. They banished the lords of the Pale out of Dublin on pain of death—and left them at the mercy of the northern rebels, with whom it was impossible for them to avoid intercourse—and then had them indicted and prosecuted with fire and sword for that intercourse.

4. They adjourned the parliament, in order to prevent the adoption

of measures to restore peace, which undoubtedly would have been accomplished had the parliament been allowed to sit.

5. When they offered a pardon to the insurgents, so few copies were published, and it was couched in such terms, and under such restrictions, as rendered it wholly nugatory.

6. They refused to receive, and forbad their officers to receive, the submissions of the insurgents who wished to lay down their arms—and treated all those who thus surrendered only as prisoners of war.

7. They terrified the Irish by the prospect of a most rigorous religious persecution, and the enaction in Ireland of the sanguinary English code, whereby the celebration of mass was rendered a capital crime, and hearing it was punished with severe penalties and imprisonment.

I now proceed to the proof of these several accusations—

I.

"Their officers, particularly St. Leger, had recourse to plunder, arson, and the slaughter of unoffending inhabitants, to goad the Catholics into insurrection."

Commencement of the insurrection in Munster.

There is no portion of the history of the calamitous period embraced in the present chapter, which is more clearly stated, and which more fully establishes the nefarious designs of the government and the barbarous system pursued by their agents to goad the natives into insurrection than that which embraces the proceedings in Munster. After giving a slight sketch of it in the text, I shall present it to the reader at full length in the words of Carte, the historian of the duke of Ormond.

Notwithstanding O'Conally's deposition, tranquillity prevailed in this province till the last day of December, as distinctly appears from Carte, infra page 339.* Many of the Roman Catholic nobility and gentry had exerted their influence to prevent any disturbance—and had for that purpose loyally tendered their services to the government. Lord Muskery, a distinguished nobleman, who belonged to that denomination, had even offered to raise one thousand men, and to furnish them with arms at his own expense, provided, at the close of the insurrection, he might retain them, or be reimbursed their cost. This proposal would have been accepted, had not the lords justices been destitute of every spark of honesty, and had they not determined on spreading the insurrection. It was rejected; as it would, so far as that province was concerned, have defeated their project of extirpation, and a general plantation of the whole island. Their object here, as elsewhere, was to drive the Irish into rebellion; unfortunately an opportunity soon offered.

A rabble of disorderly persons had perpetrated some robberies in the county of Tipperary, and among those who were plundered was the brother-in-law of the president, W. St. Leger, a sanguinary ruffian, who, with two troops of horse, made an incursion after the robbers, and killed without mercy numbers of men and women, wholly

* In the preceding pages, it appears to have been stated by some of the writers that the insurrection spread into Munster, in the beignning, by others in the middle of December. It is here satisfactorily established that it began the very last day of that month.

innocent of the depredation. He detached a captain Peisley with a party of troops in a different direction, who signalized himself by similar murderous exploits. The nobility and gentry of the province, justly alarmed at those proceedings, and dreading that they would provoke a general rising of the people, waited on St. Leger to remonstrate with him on the consequences to be apprehended from this course of conduct. He treated them with rudeness and ferocity—and in a violent passion told them "they were all rebels—that he would not trust one of them; and that he thought it more prudent to hang the best of them."*

* "It was the middle of December, before any one gentleman in the province of Munster appeared to favour the rebellion; *many of them had shown themselves zealous to oppose it*, and had tendered their service for that end. Lord Muskerry, who had married a sister of the earl of Ormonde's, offered to raise a thousand men at his own charge; and if the state could not supply them with arms, he was *ready to raise money by a mortgage of his estate to buy them*, if, when the service was ended, he might either keep the arms, or be reimbursed what they cost him. Nor did any signs of uneasiness or disaffection appear among the gentry, till sir W. St. Leger came to Clonmell, which was on the first of that month, three days before the action I have just now related. There had been, a few days before, *some robberies* committed in the county of Tipperary, by a rabble of the common sort and a parcel of idle young fellows of the baronies of Eliogarty, Killemanna, Clanwilliam, and Middlethyrde, who, as soon as they had got their prey, divided it, and retired to their several parishes. Among other English who suffered, a great number of cows and sheep were taken away from Mr. W. Kingsmill of Ballyowen, brother-in-law to the lord president. Sir W. St. Leger, upon notice thereof, came in two or three days after with two troops of horse in great fury to Ballyowen; and being informed the cattle were driven into Eliogarty he marched that way. As he set forth, he killed three persons at Ballyowen, who were said to have taken up some mares of Mr. Kingsmill's; and not far off at Grange *he killed or hanged four innocent labourers; at Bally O'Murrin six; and at Ballygarburt eight; and burnt several houses.* Nor was it without great importunity and intercession, that he spared the life of Mr. Morris Magrath, (grandson to Milerus archbishop of Cashel, in queen Elizabeth's time,) a civil, well bred gentleman, it being plainly proved that he had no hand in the prey; notwithstanding which proof he still kept that gentleman in prison. From thence captain Peisley marching to Armaile, *killed there seven or eight men and women, whom he found standing about in the streets near their own doors inoffensively:* and passing over the river Ewyer early in the morning, marched to Clonoulta, where, meeting Philip Ryan, the chief farmer of the place, a very honest and able man, not at all concerned in any of the robberies, going with his plough-iron in a peaceable manner to the forge, where he used to have it mended, he without any inquiry either gave orders for, or connived at his being killed, as appeared by his *cherishing the murderer.* From thence he went to Goellyn bridge, where he *killed and hanged seven or eight of Dr. Gerald Fennel's tenants, honest inhabitants* of the place, and *burned several houses in the town;* the cattle of the country people, which he met in his march, being all taken up by him, and sent in great numbers into the county of Cork.

"The captain went from thence to meet the lord president, where several of the chief nobility and gentry of the country, being surprized at these rash and cruel proceedings, waited upon his lordship, with their complaints, which were rejected, and *the captain applauded for what he had done.* Among these gentlemen were James Butler lord Baron of Dunboyne, Thomas Butler of Kilconel, James Butler of Killveylagher, Theobald Butler of Armaile, Richard Butler of Ballynekill, Philip O'Dwyer, and divers others of good quality. They observed to the president, *how generally the people were exasperated by those inconsiderate cruelties*, running distractedly from house to house: and that they were on the point of gathering together in great numbers, not knowing what they had to trust to, and what was likely to be their fate; they told him that they waited upon his lordship to be informed how

To the candid reader I appeal to decide whether this outrageous and brutal conduct to noblemen and gentlemen of the highest quality in the

affairs stood, and that they coveted nothing more than to serve his majesty, and preserve the peace; and desired that he would be pleased to qualify them for it with authority and arms, in which case they would not fail to suppress the rabble, and secure the peace of the county.

"The president did not receive their representation and offer, in the manner they expected; but in a hasty, furious manner answered them, '*that they were all rebels, and he would not trust one soul of them; but thought it more prudent to hang the best of them:*' and in this extraordinary passion he continued all the while these and other persons of quality, their neighbours, were waiting upon him. This made them all withdraw, and return to their houses, much resenting his rudeness and severity, as well as very uncertain about their own safety; some of them imagining, that this distrusting of their loyalty, and destroying of their reputations, was the preface to a design of taking away their lives. From Clonmell, sir W. St. Leger marched into the county of Waterford, and his soldiers in the way, as they went and returned from the rout of the Wexford rebels, *killed several harmless poor people, not at all concerned in the rebellion, or in the plunder of the country;* which also incensed the gentlemen of that county, and made them prepare for standing on their defence.

"This furious manner of proceeding seems to have been the effect of his particular resentment at his brother Kingsmill's losses; for Piers Butler, viscount Ikerrin, having pursued some of the Tipperary rabble, who had plundered Brereton, Gunner, and others of his English tenants at Grugah and islands near Lismalyn, and having rescued the prey, taken some of the robbers prisoners to Callan, brought the cattle home to his tenants, and at their request, conveyed them, their families, goods and stock safe to Ballynekill, when he waited on the president, after his return from Waterford, at Clonmell, and tendered his service to preserve the peace of the country, *the president in great wrath called him traitor,* and said he might have preserved Mr. Kingsmill's cattle and goods, if he had pleased. Lord Ikerrin brought witnesses to prove, that he was at the very same time in pursuit of his own English tenants' cattle; yet sir W. St. Leger was in too great a heat to hear, or afford him any countenance, but parted with him in that passion.

"After the president's return into the county of Cork, the gentry of Tipperary, considering the violence of his proceedings, and the aptness of the vulgar sort, (under colour thereof,) to plunder their English neighbours, laboured all they could within their respective districts and neighbourhoods for a while to correct their insolence. But notwithstanding all their care, the common sort were so addicted to plunder, that about the 6th of December, they assembled about five hundred of them together, and marched in a body towards Cashel in order to take the city and pillage the English: but several gentlemen of quality in the county, and some of the Roman Catholic clergy of Cashel, hearing of their resolutions, met them in their march, and by fair words and sermons, diverted them from that wicked attempt, and prevailed with them to return, without offering violence to any body. The country people, however, were still in a great ferment, and pretended that they could not sleep safely in their own houses, whilst Cashel was a receptacle for the president's troops to come thither, and from thence to rush in among them and destroy them. Yet this broke out into no new outrage or attempt, till after the defection of the Pale, when Philip O'Dwyer of Dundrum, (one of the gentlemen so ill treated by the president at Clonmell,) taking advantage of this general resentment, *gathered a body of them together on the last day of December, and marched to Cashel.* He took the place, and endeavoured, (as is said,) to secure the goods of all the English inhabitants there, and put them together into a storehouse; but whatever he and some of the gentlemen that were with him could do, to prevent bloodshed, some of the rabble that were kinsmen and friends of Philip Ryan and others that had been lately murdered, finding out some of the English there, killed thirteen of them, whose names are particularly mentioned. But all the rest of the English were saved by the inhabitants of the place in their houses, and had the goods which they confided to them safely restored. Dr. Samual Pullen, chancellor of

kingdom, without a shadow of justification, could have arisen from any other motive than a determination to force them into rebellion? This alone can account for it satisfactorily. They could not be secure of their lives for an hour, while they remained unarmed and defenceless, and while such a ruffian, uttering such threats, had at his command a band of cut-throats, ready to slaughter whomsoever he pointed out as objects of his vengeance, and victims of their cruelty.

That the dangers impending over the people of the province, and the murders, robberies, and other outrages perpetrated by St. Leger and Peisley, rendered resistance perfectly justifiable, no man of sound mind will dare deny. Compared with these provocations, the grievances of the English, which led to the revolution in 1688, vanish into thin air; and any man who celebrates and honours that glorious event, and vituperates the rising of the people of Munster, is grossly inconsistent, and must be either a hypocrite, or under the dominion of invincible prejudice.

However, notwithstanding these grievous provocations, and the clear and unequivocal justification afforded by St. Leger's barbarous conduct, as well as the dangers to which the people of the province were hourly exposed, no rising took place for three weeks. By this time, the lords and gentry of the pale had been goaded into insurrection, by similar outrages; the sinister plans of the lords justices had become fully developed; and the alternatives presented to the view of the Roman Catholics appeared to be resistance or a blind submission to military execution at the pleasure of a mercenary soldiery, headed by such a man as St. Leger. About the close of the month of December, a Mr. O'Dwyer collected a number of the country people in arms, and attacked and took Cashel, where the English soldiers were received, and whence they had issued to plunder and slaughter the Irish. This event occurred the latter end of December; and, according to Carte, was the commencement of the insurrection in Munster: and I trust that it will be admitted that St. Leger has the undivided claim to the infamy of the horrors that succeeded. The only error of the people of Munster was not having taken arms early enough, and with sufficient unanimity to have insured success.

Cashel and dean of Clonfert, with his wife and children, was preserved by Fr. James Saul, a Jesuit. Several other Romish priests distinguished themselves on this occasion by their endeavours to save the English; particularly Fr. Joseph Everard and Redmon English, both Franciscan friars, who hid some of them in their chapel, and even under the altar; which was proved by some of those so preserved, at the trial of the latter at Clonmell assizes, in 1652; upon which he was acquitted, and had a privilege granted him of living in the country; the like offer being made to Fr. Joseph Everard. And soon after, the English, who had been thus preserved, were, according to their desire, safely conveyed into the county of Cork, by a guard of the Irish inhabitants of Cashel; who acted with so much good faith in the affair, that several of the convoy were wounded in defending them from the violence of a rabble, that waylaid and attacked them upon the mountains in their passage.

"This enterprize of Cashel I have mentioned the first of any in Munster, because *it was the first attempted, merely by the fury of the populace, occasioned by impolitic acts of cruelty, exercised without a just distinction between the innocent and the guilty;* a practice attended with very unhappy consequences in the course of the troubles of Ireland."—Carte, I. 264.

Nefarious attempts to spread the insurrection generally in Connaught.

There was no nobleman in the kingdom, Protestant or Catholic, of more exemplary fidelity than the earl of Clanrickarde. He had aided lord Ranelagh, the president of Connaught in the preservation of the peace of that province. They were for a considerable time successful, notwithstanding the efforts of the partizans of the administration to extend the flames of civil war there.

Lord Ranelagh, after struggling for a considerable time against the difficulties with which he was environed, finally resigned his office—and the insurrection spread through the chief part of Connaught.—The earl of Clanrickarde, with great exertions and at considerable expense, succeeded by his influence, which was transcendently great in the province, in reducing the town and neighbourhood of Galway to submission,* almost without bloodshed—and had it pleased the government, it would have remained loyal till the end of the war. But his conduct was highly disapproved by the lords justices,† and by the English parliament, which passed some strong resolutions of condemnation. F. Willoughby, governor of the fort, and lord Forbes, commander of a body of troops on board some vessels stationed in the bay, in obedience to the views of the justices,‡ who wished to destroy the effects of the

* "This submission was made on the 13th of May, much to the surprise of the world and the honour of the earl of Clanrickarde, who, by his own strength, credit, and interest, without the least aid or supply, and almost *without any countenance from the state*, had found means to quell so dangerous an insurrection, to reduce one of the strongest and most important towns in the kingdom, almost without bloodshed, and to perform a work attended with such difficulties, that nobody else could have surmounted them with much greater forces."—Carte, I. 322.

† "The lords justices would not hear of any cessation or treaty with the rebels: they *absolutely disliked his lordship's receiving the submission, and granting his protection to the town of Galway; and sent him express orders to receive no more submissions from any persons whatever, but to prosecute the rebels and all their adherents, harbourers and relievers with fire and sword.* To prevent the like submissions and protections in all other places, they issued out a general order to the commanders of all garrisons, "not to presume to hold any correspondence, treaty, intelligence or intercourse with any of the Irish and Papists dwelling or residing in any place near or about their garrisons, or *to give protection, immunity, or dispensation from spoil, burning, or other prosecution of war to any of them;* but to prosecute all such rebels, harbourers or relievers of rebels from place to place with fire and sword, according to former commands and proclamations in that behalf."—*Idem*, 323.

‡ "The administration of Ireland were so far from supplying Clanrickarde's wants, that they were glad of an occasion to traverse the measures which he took with the greatest wisdom and success, for the peace and quiet of the country. The reader must remember the dislike they shewed, at the agreement which he had made with the town of Gallway, and the protections he had given. Had any other man been governor of the fort besides captain Willoughby, that pacification might have lasted to the end of the war. But he was young, and violent; and the pacification, which had cost lord Clanrickarde a deal of trouble, was no sooner completed hardly, than he broke it; *burning, and laying waste the villages for some miles into the country; destroying the suburbs; firing his artillery for a whole day together into the town; and causing such a general discontent and resentment, that it put all lord Clanrickarde's wisdom, care, and interest to the stretch to prevent an open insurrection.* Even some of his friends and relations were so exasperated, at the outrageous behaviour of the governor, which was little short of madness, as to desert his lordship, and engage with the rebels."—Warner, 222.

pacification arranged with the inhabitants of Galway, were indefatigable in their exertions to provoke the earl and the inhabitants to revolt. The excesses of which they were guilty, were of the most dishonourable and disgraceful character.* Churches were exposed to sacrilegious violation—and even the bodies of the interred could not escape the grossest indignities. They were torn from their graves,† and exposed as carrion on the highways—and what is more remarkable, and more clearly developes the nefarious views of these officers, is, that they displayed more violence and perpetrated more outrages against those who were friendly to the government,‡ than against those whose hos-

* *Extract of a letter from lord Clanrickarde to lord Ormonde.*

"Scarce any day passes without great complaints of both the captains of the fort and ship *sallying out with their soldiers, and trumpet, and troop of horse, burning and breaking open houses, taking away goods, preying of the cattle, with ruin and spoil, rather than supply to themselves; not only upon those that are protected, but upon them that were most forward to relieve and assist them,* and not sparing mine frequently upon fancy or rumor, without examining the occasion; shooting his ordinance into the town or threatening to do it; keeping disorderly centries at every gate; abusing those that offer to go out; offering to take them prisoners to the fort, and to exercise martial law upon them; *killing and robbing poor people that come to market, burning their fisher boats, and not suffering them to go out.*

"CLANRICKARDE AND ST. ALBANS."—Carte, III. 98.

July, 1642.

"That which I most apprehend will kindle a flame beyond my power to extinguish, is a late strange proceeding of Captain Willoughby's, who came out into the country, now all quiet on this side of Gallway, with his trumpet and troop of horse, for which I am sure he has no commission; and upon some slight pretence of a complaint of a small extorsion, he besets a house, and takes prisoner a sergeant of a company under the command of my lord Clanmoris, a well experienced soldier, *binds him, takes him to the fort, and there immediately hangs him;* rejects a very respective letter of my lord's unto him not vouchsafing an answer.

"CLANRICKARDE AND ST. ALBANS."—*Idem*, 220.

To Lord Ormonde.

† "Whilst I was at Tirellan in treaty with his lordship, and that my lord president was then with him in the fort, *I could see the country on fire, my tenants' goods and houses burnt, and four or five poor innocent creatures, women and children, inhumanly killed by some of his forces.* And his lordship at his landing having taken possession of our lady's church on the west of Gallway, their ancient burial place, *they did not only deface the church, but digged up the graves, and burnt the coffins and bones of the dead.* These kind of proceedings make such assistance more destructive than beneficial to us.

"CLANRICKARDE AND ST. ALBANS."—Carte, III. 109.

October 20, 1642.

‡ "Forbes landing his men took the castle of Glin, the ancient seat of Thomas Fitzgerald, commonly known by the name of the knight of the valley, a *gentleman who had always assisted the English, and never had appeared in the rebellion. Other officers often plundered all promiscuously; but this commander seems to have picked out such as continued in their duty, to be the objects of his fury and avarice.* It was indeed no impolitic course, if his view was to make the rebellion universal; since a distinction of persons was certainly necessary to show, that an utter extirpation, (which was the table talk of the Puritan party,) was not really intended."—*Idem*, I. 347.

"As soon as he got into the bay of Gallway, he landed some men on the Thomond side, *burnt the houses and wasted the lands of Daniel and Torlagh O'Bryan, the only two gentlemen in the county that had not joined in the rebellion, who had preserved and relieved the English to the best of their power,* and had assisted with their long boats and provisions for the relief of the fort, when it was besieged. Lord

tility was well known. Against the tenants and property of lord Clanrickarde they vented a peculiar degree of rage and virulence. Notwithstanding all the violence offered to him, his fidelity to the government remained unshaken to the last. I am far from regarding his conduct as laudable. On the contrary, his forbearance was carried beyond the bounds of right, and became, I think, highly culpable towards his country. Had he shown some of the true Roman spirit, and headed his countrymen, a different result would probably have taken place, and his nation would not have been groveling in the dust ever since. But the extent of this forbearance only places the wicked conduct of the administration in the stronger relief.

To this case of the earl of Clanrickarde, I shall add that of the earl of Antrim, to prove that the most unspotted loyalty and the most meritorious services were wholly unavailing to secure the Irish Roman Catholics from depredation and confiscation. This nobleman had by a large and seasonable supply of provisions saved Coleraine frome being forced to surrender when besieged by the Ulster rebels. Monroe, a Scotch general, notorious for his rapine came, sometime afterwards, into his neighbourhood, to whom he offered every assistance in his power, and invited him to a splendid entertainment, of which Monroe partook. As soon as it was over, the general took him prisoner, and seized his castle, and all his houses, as a return for his services to the state and hospitality to himself.*

II. *The Courts Martial and the Rack.*

The armies sent out from Dublin to "kill, burn, and destroy," although they made awful havoc, did not slaughter all they met with. They brought into the city numbers of prisoners, indeed almost all who escaped their swords, with little regard to innocence or guilt—as may be fairly presumed from the ferocious orders they received. When the prisoners became too numerous in the city, it was determined to clear the prisons and execute the unfortunate wretches by martial law,† which, in the existing temper of the ruling powers, was

Forbes declared openly against the pacification, which had been disapproved by the House of Commons of England; and that though it was made by the king's authority, vested in the governor of the county, yet he who was independent of any other command whatever in Ireland, did not think himself bound thereby."—*Idem*, 346.

* "The earl of Antrim had come at the latter end of April from Middinston to his seat of Dunlace, a strong castle by the sea-side, in the county of Antrim; and after his arrival there, *had found means to supply Coleraine, which had been blocked up by the Irish, and was reduced to extremity, with* 100 *beefs, sixty loads of corn, and other provisions at his own expense.* He had offered Monroe his service and assistance for securing of the country, in the peace of which he was greatly interested, by reason of his great estate, the rents whereof he could not otherwise receive. The major general made him a visit at Dunlace, where *the earl received him with many expressions of gladness, and had provided for him a great entertainment;* but it was no sooner over, than Monroe made him a prisoner, and seized the castle, leaving his lieutenant colonel there with a garrison for the guard of both, and putting the rest of the earl's houses into the hands of the marquis of Argyle's men."—Carte, I. 310.

† "Many prisoners were made upon this expedition; and as it was troublesome, expensive, and might be dangerous to keep so many at Dublin, the administration were resolved to thin them. Men of estates were exempted, in order to preserve the king's escheats upon attainders; but *the rest were given up to martial law, under*

a mere form. The numbers thus immolated were enormously great.* The bloody-minded Coote was governor of the city and provost of the court martial. Priests, monks, and friars, were regarded as so many beasts of prey, and executed with as little ceremony as if they were.† In a word, the city wore the appearance of a large human slaughter-

a pretence that they could not find freeholders enough for juries; and yet at the same time, there were bills of indictment for high treason found in two days against all the lords and gentlemen in the counties of Meath, Wicklow, and Dublin, and three hundred persons of quality and estate in the county of Kildare. These military executions, therefore, fell entirely upon the poorer sort, who had no estates to forfeit; and particularly on *the priests and friars*, who were generally charged as the chief exciters of the rebellion, and whose execution would most exasperate the Irish."—Warner, 161.

* "It was certainly a miserable spectacle, to see *every day numbers of persons executed by martial law*, at the discretion or rather caprice of sir C. Coote, a *hot-headed and bloody man*, and as such accounted by the English and Protestants. Yet this was the man, whom the lords justices picked out to entrust with a commission of martial law, to put to death rebels or traitors, i. e. all such as he should deem to be so; which he performed *with delight, and a wanton kind of cruelty*. And yet all this while the justices sat frequently in council, and the judges in their usual seasons sat in their respective courts, spectators of, and countenancing, so extravagant a tribunal as sir C. Coote's, and so illegal an execution of justices."—Carte, I. 179.

† "The cruelties of the martial law under Sir C. Coote have been already mentioned: but about this time, when it was thought politic to discourage the submissions, which were growing frequent, Father Higgins, a very quiet, pious, inoffensive man, who had put himself under the protection of Lord Ormonde, and whom his lordship had brought with him to Dublin, was one morning seized; and *without any trial, or delay, or giving his lordship any notice of the intention*, by sir C. Coote's order hanged. F. Higgins officiated as a priest at Naas and in that neighbourhood; *had distinguished himself greatly by saving the English in those parts from spoil and slaughter;* and had relieved several whom he found had been stripped and plundered; so far was he from engaging in the rebellion, or giving any encouragement to it. Lord Ormonde had therefore taken him under his protection; and when he heard of the execution of this innocent man, for no other reason than his being a priest, his lordship was very warm in his expostulation with the justices upon it at the council board. They pretended to be surprised; and excused themselves for having had any other hand in the affair than giving sir C. Coote a *general authority to order such executions without consulting them*. Lord Ormonde told them very plainly that he did not expect they would order, or suffer one so well recommended to him, and so justly taken under his protection, to be put to death in that manner; and insisted that Coote should be tried for what he had done, as having hanged an innocent, nay, a deserving subject, *without examination, without trial, and without a particular warrant to authorise him in it*. The dispute was warm on both sides. The justices, who had either directed him to do it, or were determined to support their favourite in a proceeding which was agreeable to them, would not give him up: and lord Ormonde threatened to throw up his commission, unless they gave him satisfaction. This was probably the very thing they wanted: and therefore, though he highly resented this indignity, as he had good reason to do, yet considering the ill consequences to the king and to his country, by throwing up his commission at this juncture, he resolved not to gratify them in parting with it. Their hanging a man of character at all, deserving in many respects, and exceptionable in none but his religion, inclines one to think, that *they intended this war should be understood to be a war of religion*. But their hanging him in such a manner, by martial law, by sir C. Coote's authority only, against justice and humanity when brought thither and protected by lord Ormonde, could be only *meant to prevent all submissions*, or to offer such an indignity to his lordship, as should provoke him to resign his commission, and to oppose them no longer in council."—Warner, 182.

house, where victims were daily offered up to all the horrible passions that disgrace human nature.

To the horrors of martial law, formidable enough at all times, and under the most favourable circumstances, but horrible under such a tiger as sir C. Coote, was now added the illegal and detestable expedient of the rack,* employed for the purpose, not as the justices pretended, of extorting confessions of guilt, but of deterring the nobility and gentry of the pale, from venturing to Dublin, whom very shortly afterwards they summoned to meet them there, to consult on affairs of state—and whom, in the event of not coming, they intended to denounce, and actually did denounce, as rebels.

The lords and gentry of the pale had drawn up a petition to the king, containing a statement of the complicated grievances under which they laboured, and praying relief. They applied to sir John Read to take charge of it, which he readily undertook. Not having any idea of concealment, and not regarding the act as criminal, or implicating him in any danger, he applied to sir William Parsons for a pass to go to England. *He was invited into Dublin, under pretence of a conference* —but was on his arrival most treacherously seized, and put to the rack, in order, as was said, to extort some confessions from him, although it was never pretended that he had been implicated in any illegal act whatever. He was afterwards sent to England—attainted in Dublin as a traitor—his estate confiscated—and his wife and children turned out of doors without redress.†

Christopher Barnewell, a venerable old man, sixty-six years of age, was next put to the rack and tortured; but the extremity of his suffering could not force him to make confessions of guilt, being wholly innocent himself, and not privy to the guilt of others. Their cruelty to him excited the detestation of all good men.‡

* "They resolved to supply the want of legal evidence, by putting some prisoners to the rack. They began with Hugh Mac-Mahon, who had been seized on the information of O'Conally, and from whom they expected some important discoveries. But torture could force nothing from him essential to their great purpose."—Leland, III. 189.

† "This examination, however, being not enough to the point to satisfy men of sense, the next day sir John Read, by the same stretch of arbitrary power, *was brought to the rack*. This gentleman was of the privy chamber to the king, a lieutenant colonel in the late disbanded army, and engaged by the lords of the pale to carry over their petitions to the king and queen. He intended to make no secret of his journey, and therefore sent a letter by a servant of his own to Parsons, to desire a pass; who in answer, *required him to repair to Dublin, that the council might confer with him.*"—Warner, 177.

"Sir J. Read was sent a prisoner to England; and whilst absent, and in those circumstances, *was indicted and outlawed for high treason; his lady and goods were seized upon, and she and his children turned out of doors:* and when she petitioned to these worthy justices to assign her some part of her effects to maintain her family, they absolutely refused to allow her any, though the barons of the exchequer, to whom her petition was referred, certified, that it did not appear to them, what her husband's offence was, nor how, nor for what cause the crown might be entitled to his goods or other estate. After such proceedings as these, what fidelity had the king to expect from these ministers: and *what mercy could those flatter themselves with, who laid down their arms and submitted to them?*"—Warner, 178.

‡ "The racking Mac-Mahon and sir J. Read, did not content this merciless administration; and so Mr. Barnewall of Kilbrew was put to the same torture. He

III. *Banishment of the lords of the pale from Dublin, under pain of death.*

It forms an important feature in the insurrection in Leinster, that previous to that event, there had not been a good understanding between the Ulster Irish and the inhabitants of the pale. Very considerable jealousies and hostilities had existed on both sides. And when the revolt took place in Ulster, the nobility and gentry of the pale repaired to Dublin, and tendered their services to the lords justices to preserve that quarter of the country from the incursions which might naturally be expected from the insurgents. This procedure threw no small difficulty in the way of those officers, as a full and complete compliance with the request would have marred their grand project of extirpation. They could not refuse altogether. But they complied in such a way as to render their compliance wholly nugatory. They ordered 300 stand of arms for the county of Louth, by far the most exposed to danger—500 for lord Gormanston—and 900 for other persons whose names or locations are not specified. These paltry supplies could answer no purpose against the insurgents, who, at an early period of the insurrection, had 20,000 men in the field. But lest they should be able to do any good, the 300 ordered for Louth were countermanded before delivery, and the 500 delivered to lord Gormanston were, by order of the lords justices, retaken by sir Henry Tichborne, within one week of the delivery! The remainder were reclaimed in like manner; but were scattered among so many different hands, that only one hundred and fifty were recovered.

They then disarmed the Roman Catholics of Dublin—installed, as we have seen, sir C. Coote, of blood-stained memory, as governor of the city—and banished, by three successive proclamations,* the nobi-

was one of the most considerable gentlemen of the pale; *a venerable old man of sixty-six years of age, delighting in husbandry, a lover of quiet, and highly respected in his country.* He had sent intelligence to the government of the motion of the Ulster rebels in the month of November! and the only thing that could be said against him was, that he had obeyed the sheriff's summons for the meeting at the hill of Crofty, when lord Gormanston declared an union with them. It does not appear that he approved the union, or that he actually had joined them upon any occasion; and so little did the ministers get by putting him to the torture, that *it only served to make his innocence, and their own inhumanity, the more conspicuous!*"—Warner, 179.

* "BY THE LORDS JUSTICES AND COUNCIL,

"William Parsons, Jo. Borlace.

"For great and weighty reasons of state concerning highly the peace and safety of this city and kingdom, we do hereby in his majesty's name strictly charge and command all manner of persons of what degree and condition soever, who are not dwellers in this city or suburbs, that *within one hour, after publishing this proclamation, they depart from the suburbs of this city, and return to their own dwellings, and that upon pain of death to be presently executed upon them,* if any of them be found here after that time. And all householders in the suburbs to whom any such may come, are to be equally guilty with such contemners, if they lodge or entertain any of the said persons hereby required to depart.

"Given at his majesty's castle of Dublin, 23d October, 1641.

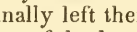
R. Dillon, Fr. Willoughby,
Ad. Loftus, Ja. Ware,
Jo. Temple, Rob. Meredith."—Nalson, II. 637.

lity and gentry of the pale from the city, whither they had fled for security,* thus driving them to their country seats, wholly destitute of the means of defence against the incursions of the insurgents, of whom an immense body had entered the pale.

Their situation was therefore the most irksome and delicate that can be conceived. They were liable to be laid under contribution by the insurgents, who, if exasperated by resistance, were disposed to proceed to extremities with them. On the other hand, if they afforded them any relief—had any intercourse with them—or were even seen to converse with them, they were liable to indictment and punishment for treason. Some persons were actually indicted for being seen to converse with the rebels. And the pretext for the atrocious and unprovoked murders subsequently perpetrated at Santry was, that the wretched victims had relieved the rebels with refreshments, which they were unable to withhold.

But this step, which was a considerable advance towards the grand object in view, did not satisfy the lords justices. Although they were every day more sure of their prey—they were determined to accelerate the acquisition—to which end they finally left them no alternative but a recourse to arms or the utmost rigour of the law.

On the 3d of December, they issued a summons for the lords and gentry of the pale to appear in Dublin on the 8th, to consult on some affairs of state, promising security for their persons, although about three weeks before, they had, in proof of a total want of confidence, withdrawn the arms delivered them—and only two weeks previously had banished them from the city.† This summons could not be regarded otherwise than as a snare to entrap them.‡ The gentlemen



* "This was a rigorous treatment of many gentlemen of the pale particularly, who had retired to Dublin as a place of security for their persons, *whilst their goods and cattle were plundered by the robbers;* who took advantage of these troubles to spoil and plunder, though they did not join the rebels. This measure was not only therefore very inconvenient to those gentlemen, but it proved in the end to many of them very fatal. For *they were not only obliged to return to their houses without arms*, exposed in a short time after to the violence of the rebels, whom they were unable to resist, but *also to pay them contribution for leave to live in quiet, and to have a constant intercourse with them; which in the eye of the law is treason*, and which induced several to join with them. This was particularly the case of sir Rob. Talbot; who, after engaging against the rebels in defence of the English, for which *his two best houses were burnt down*, and he had retreated with his family to Dublin, where *he had offered to raise men if the council would furnish him with arms*, had not leave to remain at Dublin, but was forced *by this proclamation, upon pain of death*, to depart he knew not whither, and therefore in the end to enter into the confederacy against his will."—Warner, 121.

† "Some have not scrupled on this occasion to impute the conduct of the lords justices to their avarice, and to surmise, that they never expected those noblemen would comply with their summons; and that all the measures they took at the same time were taken expressly with a design to terrify them from trusting themselves in Dublin, and from thence to take some advantage for the forfeiture of their estates. It answered this end very well, that *sir C. Coote, immediately after his inhuman executions and promiscuous murders of people in Wicklow, was made governor of Dublin, at the very time of sending out the summons to the lords of the pale! ! !*"—Carte, I. 258.

‡ "The lords and gentry of the pale, unable to resist so vast a body, that were entirely masters of the field, kept themselves quiet in their own houses, to which

might well hesitate to trust themselves in the power of men, whom they knew to be their inveterate enemies, and withheld by no ties of honour, honesty, justice or humanity, as appeared in all their proceedings.

But to remove all doubts of their views, and to deter those gentlemen from appearing on the 8th, the lords justices sent out a butchering party on the 6th or 7th of Santry,* a small village in the neigh-

they had been ordered by the lords justices to retire; not thinking it prudent by a weak and fruitless opposition, and acts of hostility, to provoke an enemy that could destroy them in a moment, and take ample vengeance on their persons as well as estates, since they were on pain of death forbid a retreat in Dublin. In this condition they remained, when the lords justices on Dec. 3, 1641, directed their letters to divers of the nobility who were nearest to them (most of the English pale) acquainting them that they had immediate occasion to confer with them, concerning the present estate of the kingdom, and the safety thereof in those times of danger, and requiring them to be at Dublin for that end, on the eighth day of the same month.

"This summons alarmed several of those noblemen, who, lying most exposed to the enemy, could not hinder the rebels' entrance into their houses, or the paying of them contributions, and had thereby been guilty of a correspondence which in the eye of the law was criminal (though unavoidable) and exposed them to the penalties of high treason, if they were to be judged with rigour. The reason assigned for convening them at that time appeared very suspicious, because of the jealousy which the justices had always expressed of them; and there was no reason to imagine, that their jealousies would be less, when their fears and danger were greater, or that they were now ready to take their advice, when they had rejected it before, though given in concurrence with others of unexceptionable characters, and warranted by the authority of parliament. It appeared very strange and unaccountable, that those very persons, who had about a fortnight before thought the abode of these lords in Dublin dangerous and incompatible with the safety of the state, and in consequence thereof had banished them from thence, should now, by a sudden turn of sentiments and conduct, invite them thither to be consulted with for the safety of that state. Hence *it was easily imagined, that the summons was only an artifice to draw those noblemen to Dublin, and when they were there to seize on their persons, confine them in an irksome prison, and perhaps prosecute them at law with a severity, which might end in the forfeiture of their estates, the ruin of their families, and the taking away of their lives by an ignominious execution.* These apprehensions were much heightened by the ill opinion which they had entertained of the lords justices, who (they firmly believed) hated their persons as well as religion; and had designs upon their estates; which, having power in their hands to do what they pleased, and being restrained by no scruple about the means of doing it, they might very easily execute. Thus the fears and jealousies of these noblemen, upon occasion of this summons, drove them into such extremities, as despair of mercy is wont to produce in those who have transgressed the strict bounds of duty, and know their lives and estates without it to be forfeited to the rigour of law."—Carte, I. 243.

* "Tuesday, Dec. 7. A party of foot being sent out into the neighbourhood of Dublin, in quest of some robbers that had plundered a house at Buskin, came to the village of Santry, and *murdered some innocent husbandmen, (whose heads they brought into the city in triumph, and among which were one or two Protestants! ! !)* under pretence that they had harboured and relieved the rebels, who had made inroads and committed depredations in those parts. Hard was the case of the country people at this time, when, *not being able to hinder parties of robbers and rebels breaking into their houses, and taking refreshments there, this should be deemed a treasonable act, and sufficient to authorise a massacre.* This following so soon after the executions, which sir Charles Coote, (who in revenge of his own losses, and the barbarities of the Ulster Irish, certainly *carried matters to such extremities as nobody can excuse,*) had ordered in the county of Wicklow; among which, when *a soldier was carrying about a poor babe on the end of his pike, he was charged with saying, that he liked such frolics,* made it presently be imagined, that it was determined to proceed against all suspected persons in the same undistinguishing

bourhood of Dublin, where they murdered some innocent husbandmen, and by way of triumph for this exploit, paraded the heads on pikes through the streets of Dublin. These unfortunate victims were, I repeat, charged with having harboured rebels, whom they could not prevent from access to their houses.

The chief of the lords and gentry very wisely declined trusting themselves with such men on their bare word, and only three of them went. The remainder on the 10th transmitted a letter to the lords justices, stating their reasons for non-attendance—their apprehensions of the consequences—the threats held out against them—the murders at Santry, &c.

The justices on the 14th again sent them a message requiring them to meet them on the 17th, giving them further assurances of safety—but, with the same sinister views as in the former instance, they issued an order on the very same day, (the 14th) to a body of troops under Coote to proceed to Clontarfe, a small village a few miles from Dublin, to "*burn and spoil* the rebels' goods"—and to seize "such of the boats and vessels now lying there as they can on the sudden," and "*to burn, spoil, sink, and make unserviceable the rest.*"—Borlace, 42. Now there were no rebels, nor rebels' goods there.

A robbery, it is true, had been committed by some lawless people on a bark from England, which Carte on good grounds supposes to have been "deserted, or wrecked; in which case people that live on the sea coasts, influenced by a common, but barbarous notion, are apt to deem and treat the goods on board as lawful plunder."—Carte, I. 246. Most assuredly this could not warrant the military execution which took place.

The order for this incursion, issued at the same time as the invitation, which promised security, proved, beyond the possibility of doubt, that the nobility and gentry could place no dependence on the promises of the lords justices—who, in the opinion of Carte, did not wish them to come in, their object being to gain a pretence for declaring war against them.

The party thus sent out to Clontarfe committed great devastation; and, among the rest, they destroyed property to the amount of 4000*l.* belonging to Mr. King,* one of the very gentlemen specially invited under promise of security to Dublin, on the 17th.† That this was done to

way of cruelty; and it served either for an occasion or pretence,‡ ! ! ! ! to some Roman Catholic gentlemen of the county of Dublin, (among which were Luke Netterville, second son of the lord viscount Netterville, George Blackney of Rickenhore, and George, King of Clontarfe,) to assemble together at Swords, six miles from Dublin, and put themselves with their followers in a posture of defence."—*Idem*, 244.

* "Coote went with a party of soldiers, and entirely neglecting Kilbarrock and Raheny, fell upon Clontarfe, which belonged to Mr. King, (who was all this while absent from thence at Swords,) and *burnt his tenants' houses and goods, not sparing even his mansion house*, under pretence that some of the goods taken by robbery out of the bark, had been carried thither in his absence, and found there before it was set on fire."—Carte, I. 246.

† "The gentlemen of the pale, banished Dublin *by three successive proclamations, and on pain of death ordered to repair to their own houses*, unable to make resistance, and seeing not any, even the least, prospect of relief or succour, opened their

‡ "A pretence!" was any *pretence* necessary after such atrocious proceedings?

provoke the inhabitants of the pale—to prevent their obeying the summons—to induce them to stand on their defence—and to afford a pretence for declaring them in a state of insurrection, will be admitted without hesitation by every honourable man—especially when it is borne in mind—as, to form a correct opinion of the course of affairs, it must be constantly—that the idea of a complete extirpation of the Irish was steadily cherished throughout the whole contest by the ruling party, and must have been the operating cause which led them first to produce the insurrection, and then by every means in their power, not only to prevent its suppression, but to foment and spread it universally over the island. Bearing this idea in view, their conduct throughout appears perfectly consistent and uniform—and discovers as much clearness of head as obliquity and desperate wickedness of heart. On any other ground their proceedings are a tissue of gross absurdity and inconsistency.

This course of proceeding produced the effect intended—in the words of Carte—"Their violent measures and threats of extirpation, terrifying and making the nobility and gentry of Engish race desperate, hurried them, in spite of their animosity against the old Irish, into an insurrection."

IV. *Adjournment of Parliament.*

Charles I. involved in the most serious difficulties and embarrassments by his wicked attempt to force the English liturgy on the Scotch, and by the decisive attitude maintained by the English parliament, which refused to grant supplies adequate to the emergency of his situation, was ardently desirous to conciliate the Irish, and therefore intended to accord those graces which, as already stated, he had most perfidiously withheld, after having received the full value of them. He therefore sent express orders to the lords justices to have them regularly ratified by act of parliament, in August, 1641. The messengers had arrived at the port of embarkation in England, and were daily expected in Dublin. The nation, harassed by the insatiable rapacity of those hosts of pimps, spies, and informers, whose iniquitous proceedings are detailed in Chapter XV. and by a variety of other oppressions and grievances, was in the most anxious expectation of this all-important arrangement being at length finally completed. Those graces were admirably calculated to allay the heart-burnings which the proconsular tyranny of Strafford had excited, and completely tranquillize the public mind. But this would have wholly defeated the sinister views of the lords justices; and therefore they wickedly adjourned the parliament at this critical juncture, in order to frustrate the purposes of the king; disappoint the ardent and reasonable wishes of the nation;

defenceless habitations to the enemy; which gave the lords justices occasion to complain, that "the rebels were harboured and lodged in the gentlemen's houses of that county, as fully as if they were good subjects." This correspondence, however necessitated it was at first, involving them in the guilt of rebellion, according to the rigour of the law, which they had no reason to think would be relaxed on account of their unhappy situation, by any favour or tenderness they might hope from the then government, *made the gentlemen in general and the high sheriff in particular, to join the rebels, and put the fate of their persons and fortunes upon the issue of the rebellion.*"—Idem, 238.

excite disaffection; and prepare for the insurrection which they then must have calculated to produce.*

Nothing could be conceived more ill-timed or more provoking to the Irish, than this adjournment. It dashed the cup from their lips, at the moment when they had every reason to expect a fruition of its contents—and created an universal disquietude and dissatisfaction throughout the nation. They had however no remedy. They were obliged to submit.

The adjournment was till the 9th of November. The nation had hoped when that day should arrive, that parliament would devise some effectual means for repressing the disturbances in the north, and for establishing peace and tranquillity in the kingdom. This effect would have taken place, had they been allowed a regular session. But this would have been death to the projects of the government, and therefore on the 3d of November they prorogued the parliament, till the 24th of that month, under the very frivolous pretence, that, during the continuance of the rebellion, it would be dangerous to convene parliament;† whereas, the existence of a rebellion was the strongest possible reason for their sitting, and would have been sufficient reason to summon an extra session, even earlier than the period fixed by adjournment.‡

* "After certain knowledge that the said committees were by the water-side in England, with sundry important and beneficial bills, and other graces, to be past, as acts in that parliament, of purpose to prevent the same, the said faction, by the practice of the said lords justices and *some of the said privy councell and their adherents, in tumultuous and disorderly manner on the seventh day of August, 1641, and on severall days before, cryed for an adjournement of the house*, and beinge overvoted by the voices of the more moderate parte, the said lords justices and their adherents told severall honourable peers, that if they did not adjourn the lords house on that day, being Saturday, that they would themselves prorogue or adjourne the parliament on the next Monday following; by means whereof, and of *great numbers of proxies of noblemen, not estated, nor at any tyme resident in this kingdome*, (which is destructive to the libertye and freedom of parliaments here) the lords house was on the said seventh day of August adjourned, and the house of commons by occasion thereof, and of the faction aforesaid, adjourned soone after, by which meanes those bills and graces, according to your majestic's intention, and the greate expectation, and longing desires of your people, could not then pass as acts of parliament."—Carte, III. 139.

† "The reasons which they alleged for this opinion were, that it would highly trench upon the gravity and wisdom of the board to alter a resolution taken there, and made known to the whole kingdom by proclamation; and that it would be of dangerous consequence to bring a number of people to the city in such dangerous times; that several of the Protestant members for Ulster were dispersed, or so shut up or employed, that they could not repair to the present meeting; and that therefore the Roman Catholics, (who peradventure might bring ill affections with them,) would be superior in number and voices, and so carry all things according to their own humour. These reasons, founded chiefly upon mere jealousies and fears, for which there did not seem to be any just grounds, when so many Roman Catholic members were likewise absent, and there was no danger to be apprehended from such as were present, in a city whence all strangers were banished by proclamation, and in which there was now a garrison of 4 or 5000 men, did not satisfy the others; but upon a vote the majority declared themselves for sticking to the prorogation."—Carte, I. 223.

‡ "There never could be stronger and more pressing reasons for the sitting of a parliament than there were at this time. For to say nothing of the rebellion, the

The lawyers belonging to parliament were of opinion, that unless it was allowed to meet on the day fixed by the adjournment, it would be virtually dissolved. The judges were consulted, who being doubtful on the subject, the justices consented to allow parliament to meet for one day, to prevent a dissolution.

Parliament accordingly met; however, but few members attended, as the notification of meeting had not gone into Munster or Connaught where the proclamation for the prorogation had been circulated. Of course scarcely any of the members for those two provinces attended. A protestation and declaration were drawn up by both houses against the rebels, which, and some other business of no importance, not being completed in one day, the lords justices with great difficulty were prevailed on to allow them to sit the next day. The earl of Ormonde, the lord Dillon of Costello, and other Protestant gentlemen, were anxious to have the prorogation annulled, and the session continued—but all their representations were in vain. The session was closed in two days, to the regret of every honest man in the nation, who all united in execrating the vile policy which led to such a baneful measure.*

V. *Offers of pardon.*

In consequence of instructions from the English parliament, the lords justices offered a pardon to the insurgents on the 30th of October—but couched in such terms that it was meant not to take effect. To destroy all chance of its favourable operation, there were but forty copies printed. It was merely thrown out as a blind to deceive the world, and cast an odium on the insurgents for rejecting the lenity of the government. It was confined to four counties, in two of which there had been no rebels; *it excluded freeholders altogether!!* and *extended to those non-freeholders alone*, who, having committed any depredation, should within ten days restore the property, which, in almost every case, must necessarily have been utterly impracticable.†

graces lately granted by the king, and so much desired by the nation, which arrived in Ireland too late to be passed in the last session, were to be enacted in this, and were expected with great impatience by the merchants, who were to be eased in the rates of customs, and licences of exportation; by the gentlemen, for the security of their estates, against the avarice and rapine of needy ministers and projectors, by which they had been plagued and harassed for forty years past; and indeed by all sorts of men throughout the nation, who were in one respect or other to find relief, convenience, and advantage thereby. The late clamours about grievances had quickened every body's sense of them; they were uneasy every moment till they were redressed; and to disappoint them in the height of their eager expectations, was enough to make them furious and desperate, and could not fail of producing more mischiefs and real dangers than their fears could suggest of imaginary ones to arise from any other cause."—*Idem*, 230.

* "There was something so very weak or wicked in not permitting the parliament to sit at this critical juncture, that *** *the greatest part of the miseries which Ireland underwent in this rebellion were in a good measure occasioned by the obstinacy or the evil intentions of those who were then at the helm.*"—Warner, 126.

† "In another instance, the conduct of these wretched governors was still more suspicious. The parliament of England had recommended the offer of a general pardon to such rebels as should submit within a certain time, to be limited by the lords justices. *No proclamation was published, no pardon offered, in consequence of*

In a letter to the lord lieutenant, the lords justices made the following statement of their views in these limitations.

"The proclamation is so framed that their laying down of arms shall not wipe away all their former offences; in regard, we humbly conceive, it were a dangerous example, if after their robbing and spoiling of so many of his majesty's faithful subjects, the whole kingdon over, of their goods and estates, to the value of a million at least, (no age having produced in this kingdom so much mischief and so great calamity in so short a time) they should, for laying down arms, have those their grievous and unexampled tyrannies over those of the English nation remitted."—CARTE, I. 261.

VI. *Rejection of the submissions of the insurgents.*

It has always been regarded as sound policy, in cases of civil war, to break the strength of the rebellious by receiving those to mercy who submitted early, add whose conduct had not been marked by an extraordinary atrocity. Many formidable conspiracies, which threatened certain destruction to states, have been suddenly dissolved by these means, which are powerfully recommended equally by motives of policy and humanity. Such a measure, adopted at an early stage, would have ended the insurrection in a few weeks. The insurgents would have rejoiced to have had an opportunity to lay down their arms, and submit to the government.* They were eager to come in under the proclamation of pardon above stated.† But this would have defeated the

these instructions. To palliate this omission, they pleaded the inefficacy of their former proclamations: the first of which only called on the king's subjects to abandon the rebels, without any positive assurance of mercy: the other offered a pardon, not to the rebels of Ulster, where the insurrection chiefly raged, but to those of Longford and Louth, Meath, and Westmeath. In the two last counties no body of rebels had appeared. And if any outrages or insurrections were to be suppressed, *the lords justices contrived to defeat the effect of their pardon, by exceptions and conditions.* All freeholders of these four counties; all who had shed blood in any action; all who were in prison for spoil or robbery, were expressly excluded from mercy. To others, it was tendered *on condition of their submitting within ten days after the proclamation, and restoring all the property they had seized,* which had quickly been dispersed through various hands. *Such a proclamation was evidently absurd and insidious.* A pardon offered in the name of the English parliament, must have had greater influence than any act of an Irish ministry, despised and suspected by the body of the nation. But the chief governors and their creatures were confident of support, and *experienced in the art of converting forfeitures to their own advantage.*"—LELAND, III. 160.

* "A cessation was recommended by Clanrickarde, as a means of giving them some leisure to reflect on their precipitate conduct; to recall them to their allegiance; and *to prevent the desolation of the kingdom:* but the chief governors were actuated by different motives. *They severely condemned the protection granted to Galway:* their orders were express and peremptory, that the earl should RECEIVE NO MORE SUBMISSIONS: every commander of every garrison was ordered not to presume to hold any correspondence with the Irish, or Papists: to give no protections; but *to prosecute all rebels and their harbourers with fire and sword.*"—LELAND, III. 198.

† "They who had not engaged in actual hostilities, they who were only accused of harbouring, or paying contributions to the rebels, crowded to the earl of Ormond, and *claimed the advantage of the royal proclamation.* The lords justices, who not only favoured the designs of their friends in England, but *expected to have their own services rewarded by a large portion of forfeitures, resolved to discourage these pacific dispositions.* Ormond was directed to make no distinction between noblemen and other rebels; *to receive those who should surrender, only as prisoners*

grand object of the lords justices, who issued orders to their officers every where, to hold no intercourse or parley with the rebels—to accept no submission—and to receive none of the insurgents who offered to surrender themselves on any other terms than as prisoners of war. They were indiscriminately thrown into prison—indicted and had their estates confiscated. Even those who fled from the rebels—who had suffered by their depredations—who had never been engaged in any action with them—when they attempted to take refuge in Dublin, or in any other garrison town, were thrown into prison and shared the same fate as the guilty.*

VII.

I shall now slightly touch on other means used by the lords justices and their friends in England and Ireland, to spread the insurrection. By threats constantly held out, of a general confiscation of estates through the kingdom, of which the act referred to page 270, was the entering wedge, they placed before the estated part of the community the alternative of resistance or ruin. And in order to debar them of all hope of escape, the English parliament passed an act annulling all grants of lands belonging to the rebels, without the consent of both houses,† and another revoking all pardons granted, or to be granted

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of war; and to contrive that they should be seized by the soldiers, without admitting them to his presence. They who were sent, in custody, to Dublin, *though men of respectable characters and families, engaged in no action with the rebels, some, sufferers by their rapine, averse to their proceedings, known protectors of the English*, were all indiscriminately denied access to the justices; closely imprisoned; and threatened with the utmost severity of the law."—Leland, III. 188.

"The lords Netterville and Slane, and many of the principal gentry in that district, had made an offer, if they might be accepted, of the like submissions; and this practice there was becoming so general that the ministry thought it time to put a stop to it. It appears by their letter to the lord lieutenant at that time, that they thought themselves much wiser than other ministers had been, by too easily receiving submissions, and granting pardon to rebels; and therefore they should take another course. *Some of those gentlemen of the Pale had been indicted of high treason, for having been seen to converse with some of the rebels*, whilst the rebels were masters of their country; and the bills had been found by the grand juries; who were so extremely alert, as to find several hundreds, as it has been already said, in two days. The ministers resolved therefore to have these tried in a legal course; in order to show the rest that their submission would entitle them to no favour."—Warner, 175.

* "*All the gentlemen that surrendered themselves, were, without being admitted to the presence of the justices, committed prisoners to the castle;* preparations were made for their trial; and it was publickly said that they should be prosecuted with the utmost severity. But as they had never appeared in the field, nor been engaged in any warlike action, proper facts were wanting to support a charge against them. To supply this defect, the lords justices had recourse to the rack, though against the law, *in order to extort such confessions as these miscreants had a mind to put into the mouths of those unhappy men who were to undergo it.*"—Warner, 176.

† "All grants made or to be made by the crown of any goods or lands of rebels, since Oct. 23, 1641, were declared null and void; and all pardons which should be granted after the said day to any of the rebels before attainder, (without the assent of both houses) to be adjudged void and of none effect."—Carte, I. 302.

"This act, which had the royal assent on March 19; the treatment which the gentlemen that surrendered themselves had met with from the lords justices, and the *rejecting of all offers of submission*, put an end to all thoughts of that nature,

from and after the 23d of October 1641, without the same consent, by which they not only shut the door against those actually in arms—but forced those who had been pardoned, to take up arms once more. But these measures, violent as they were, did not satisfy them. They operated principally on the higher orders of society—and it was determined to appeal to the religious feelings and to the fears of the mass of the nation, by making the contest a religious war. The Irish parliament, reduced to a mere skeleton, by the expulsion of the Roman Catholics, drew up a declaration to the king and parliament of England, praying not merely for the rigorous enforcement of the old laws against the recusants—but for the transmission into Ireland, to be passed there, of all the laws in force in England against them—by one of which the celebration of mass was rendered felony—and by another the attendance at it, was subject to enormous penalties and imprisonment.* The English parliament acted in unison—and passed various resolves, breathing a most infuriate spirit of persecution, worthy of a chosen band of Spanish inquisitors.† The Irish Roman Catholics were threatened with a crusade, in which, after the example of the followers of Mahomet, who went armed with the scymiter and koran, the soldiers were to be the evangelists, and to carry the bible in one hand, and the sword

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and convinced all the gentlemen of English race, who had engaged in the insurrection, that there was no longer room to hope for pardon, nor any means of safety left them but in the sword. It was not an age of such abstracted principles of loyalty, as might engage men to sacrifice themselves, their families and estates, rather than swerve from the strict rules of their duty. The lords of the pale, out of a strong jealousy of the designs which the state had formed against them, and out of a dread of such a treatment, as sir J. Read, (who had a like invitation to confer with them,) afterwards found from the lords justices, had put themselves into arms, and stood upon their guard."—*Ibid.*

* "A declaration was drawn up, and agreed to by both houses, in an address to the king and parliament of England, praying that a present course might be taken for *executing the penal laws in force in Ireland against all the Papists in that kingdom*, and particularly in the city of Dublin; that bills might be transmitted into England in order *to make all the laws there against the Popish clergy and their relievers to be enacted for Ireland:* and that it might not be in the power of any governor of that kingdom, to suspend, inhibit, or connive at, the exemption from such laws, or any of them. If it was the design of the council that *the rebellion should be thought a war of religion, and a total extirpation of all Catholics, and of popery, was the scheme proposed*, then nothing was more to the purpose than this declaration. But it was a measure, of which all wise and good men dreaded the consequence."—Warner, 212.

† "The English parliament echoed these sentiments. The bills were prepared for transmission, and the utmost vengeance denounced against Popery; as if *their sole purpose were to exasperate the insurgents to the utmost*, or as if they had been already completely reduced."—Leland, III. 197.

In a remonstrance to the king, the English parliament prayed that he "would be graciously pleased, for the better discovery and speedier conviction of recusants, that an oath may be established by act of parliament, to be administered in such manner as by both houses shall be agreed on; wherein they shall *abjure and renounce the pope's supremacy, the doctrine of transubstantiation, purgatory, worshipping of the consecrated host, crucifixes, and images; and the refusing the said oath, being tendered in such manner as shall be appointed by act of parliament, shall be a sufficient conviction in law*, of recusancy. And that your majesty will be graciously pleased to give your royal assent to a bill for the education of the children of Papists by Protestants in the Protestant religion."—Parl. Hist. xii. 149.

in the other.* It was moreover confidently asserted, at a public entertainment, by one of the lords justices, that in twelve months there should not be a Roman Catholic left in Ireland. In a word, never was more assiduity and address employed to accomplish any purpose than were put into activity on this occasion, and, had the object been laudable, the parties would be entitled to immortal honour—but, employed for such a nefarious object, they have a fair claim to eternal execration.†

* "It was confidently averred that sir John Clotworthy, who well knew the designs of the faction that governed in the house of commons of England, had declared there in a speech, "that *the conversion of the Papists in Ireland was only to be effected by the Bible in one hand and the sword in the other;*" and Mr. Pym gave out that *they would not leave a priest in Ireland.* To the like effect sir William Parsons, out of a strange weakness, or a detestable policy, positively asserted before many witnesses, at a public entertainment in Dublin, that *within a twelvemonth no Catholic should be seen in Ireland.*"—Carte, I. 235.

† "I have seen some minutes of the council-board, which aver, that sir Charles Coote said, that when sir Luke Fitzgerald misdemean'd himself before the board, by uncivil words towards a member of the board, he let him have the line, and would not reprehend him, in hope he would go into rebellion; for he saw he would do so, and that the more that were in rebellion, it was the better."—Nalson, II. 538.

CHAPTER XXVI.

Confiscation, Perjury, Subornation of witnesses. Above one thousand bills of indictment found in two days in Dublin. Eleven hundred persons indicted at once in Cork and Waterford.

"*Some salve for perjury:*
Some tricks—some quillets—how to cheat the devil."—SHAKSPEARE.

AFTER the Irish administration had succeeded in spreading the insurrection throughout the island, it remains to show what measures they adopted to derive from it the advantages which they had proposed to themselves, and which led them to pursue the nefarious course I have stated.

The confiscation of estates, and their own personal aggrandizement, were the objects in view. This is the language of all the writers of the history of those times. Carte says:

"*The governors were the likeliest persons in it to get by the troubles of the kingdom, and to raise their own fortunes by the ruin of those of private gentlemen.*"—CARTE, I. 262.

Warner comes more directly to the point, and exposes their villany in all its deformity to the reprobation of the world, from their own correspondence:

"The lords justices, in a private letter of their own to the speaker, exclusive of the rest of the council, besought the commons to assist them with "a grant of some competent proportion of the rebels' lands." Here the *reader will find the key that unlocks the whole secret of their iniquitous practices; and here we find the motives to the orders they gave, for receiving no submissions;* for issuing no proclamations of pardon at first, as the parliament had suggested; and, in short, for all their backwardness in putting an end to the rebellion, for which several opportunities offered, and consequently for *their sacrificing the peace and happiness of their country; and the lives of thousands of their fellow subjects.*"—WARNER, 199.

To accomplish their purposes they required and readily found perjured juries and perjured witnesses; and so profligate were they, that money was lavished to hire the latter. And so barefacedly and profligately was this trade of corruption carried on,—so totally lost were the privy council to all sense of principle and decency,—and so well was their character established on this point, that one of the agents employed in the business of subornation, actually applied to them, in their public capacity, for the wages of his iniquity.

"Indictments had been found against them" [lord Dunsany, sir John Netterville, and other noblemen and gentlemen of high standing] "and ABOVE A THOUSAND OTHERS, by a grand jury, IN THE SPACE OF TWO DAYS!! There was certainly too much hurry in the finding of these indictments, (of which above three thousand were upon record) to allow *time for the examination of each particular case*, and they were *too generally found on very slight evidence.* The Roman Catholics complained that *there were strange practices used with the jurors, menaces to some, promises of rewards,* AND PARTS OF THE FORFEITED ESTATES made to others; and though great numbers of the indicted persons might be really guilty, *there was too*

much occasion given to suspect the evidence. I am the more inclined to suspect there was *a good deal of corruption and iniquity in the methods of gaining these indictments*, because I find a very remarkable memorandum made by the marquis of Ormond, in his own writing, of a passage in the council, on April 23, 1643. There was then a letter read at the board, from a person who *claimed a great merit to himself, in getting some hundreds of gentlemen indicted,* and the rather for that he had *laid out sums of money to procure witnesses to give evidence* to a jury, for the finding those indictments. This was an intimate friend of sir William Parsons, and might very well know that such methods would be approved by him."—CARTE, I. 423.

I trust the reader will well weigh, and ponder on, the naked detail contained in the preceding paragraph, which exhibits a scene of atrocity unparalleled in the history of fraud, forgery, perjury, and robbery. What a stupendous, what a sickening fact is the finding of *one thousand bills of indictment in two days!* And, be it observed, these bills were principally against the wealthy classes, the "noblemen, gentlemen, and freeholders."—CARTE, I. 454. These were the men whom it was worth while to indict, men whose estates would recompense the trouble, pay for the subornation of hired witnesses, and sate the avarice of the prime movers of the business.

"Above one thousand bills of indictment in two days!!!" Suppose the jury sat twelve hours in each day, from six in the morning till six in the evening, without obeying any of the calls of hunger, it was at the rate of *forty-two bills in an hour*, or *two every three minutes!!* Well might Carte observe, that they did not "*allow time for the examination of each particular case.*" This is a most feeble and disgraceful mode of stating the affair, which he ought to have stigmatized in terms of the strongest reprobation. He might have said, and with perfect truth, that they did not "allow time to *read* the bills, and little more than was necessary to *sign* them." They must have been huddled over *en masse*, barely reading the titles, marking them *true bills*, and annexing the names of the jurors.

And these bills of indictment—(who can read the fact without shuddering with horror?)—decided on the lives and fortunes of the principal of the "nobility, gentry, and freeholders" of Ireland, of whom, on these, and indictments *equally just and honourable*, "two thousand were prosecuted to outlawry by sir Philip Percival, clerk of the crown,"—[*Ibid.*] and their estates confiscated.

Will it be deemed extravagant, to assert that the annals of the world can produce no similar circumstance,—and that never was rampant and profligate injustice and rapine and plunder so completely triumphant over honour, honesty and justice? This was the time, when, in those halls, nicknamed courts of justice, "the benches," (to use the strong and energetic language of the duke of Ormonde, in his speech to the Irish parliament,) "were crowded or oppressed with the throng and *wicked weight of those who ought rather to have stood manacled at the bar.*"—BORLACE, App. 84. How deplorable the case of a noble nation, exposed to the "*tender mercies*," of such profligate juries and such nefarious judges!

It may not be improper, indeed it appears indispensable, to consider what is the nature of a bill of indictment, what are the duties of a grand jury who are to decide on it, and what are its consequences.

According to Jacob's Law Dictionary, "An indictment is an inquisition taken and made by twelve men at the least, who are thereunto sworn, whereby they find and

present that such a person, of such a place, in such a county, and of such a degree, hath committed such a treason, felony, trespass, or other offence, against the peace of the king, his crown, and dignity."—JACOB, III. 401.

The accusation is delivered to the grand jury, who are SWORN to determine on the probable guilt or innocence of the party accused, *according to the evidence* brought by the proper officer to support the charge.

Could the jury, who thus found one thousand bills of indictment in two days, have heard the evidence? Certainly not. Did they not therefore violate their oaths? Yes. What were they then? Perjurers. Was not the blood of every man, whom their perjury led to the scaffold, on their heads? Were they not virtually robbers of the estates of those who were plundered in consequence of those indictments? Indubitably.

Were not the judges under oath to administer justice correctly? When they received such bills, were they not likewise perjured? Was not the blood of the victims equally to be laid to their charge? Most assuredly.

In ordinary cases, the perjuries of grand juries, however flagitious, are of no great importance, but as respects their own guilt, provided the traverse juries be upright and independent. But here the traverse juries were equally wicked and corrupt with the grand juries.

Of three thousand persons indicted, as above stated, by sir Philip Percival, there were two-thirds who did not appear, and were prosecuted to outlawry in their absence.* Thus, for those two thousand men, there was no more use of a traverse jury than if no such body ever existed.

Would that I had the tongue of a Demosthenes, or a Curran, or a Henry, or the pen of a Burke or a Dickinson, to spread this truth before an astonished world, that, on this species of evidence, one foul, bloated mass of the most nefarious fraud and perjury, rests the thousand-times-told story of "*the execrable Irish Rebellion.*"

I shall conclude this chapter with a statement of the wholesale proceedings, whereby *all the nobility and gentry* of two entire counties were indicted to the amount of *eleven hundred at one sweep*, and their estates subsequently confiscated. How many hours the jury was engaged in the business is not stated—but it is presumable, as it was managed by the earl of Cork, one of the most rapacious and unprincipled men of the age, that the process was equally summary with those in Dublin.

"I have, with the assistance of the earl of Barrymore, the lord viscount of Killmallock, and my two sons, Dungarvan and Broghill, (by the advice of the lords justices and council of Ireland, who enabled me with commissions to that effect) lately held sessions in the several counties of Corke and Waterford, and even beyond the expectation of all men, have proceeded so far as by juries free of all exception, to

* "Whatever difficulties there were in the case, the lords justices were equal to them all; and carried on the prosecution with great vigour, causing indictments to be preferred not only against open and declared rebels, but also *against others who were barely suspected!!* and, as there was *nobody to make defence!!!! nor any great delicacy used, either in the choice of the jury, or as to the character and credit of the witnesses!!! and one witness sufficed, such indictments were readily found!!!*"—CARTE, I. 277.

indict the lords viscounts Roch, Montgarret, Ikerrin, and Muskerry, and the barons of Dunboyne and Castellconnell, with the son and heir of the lords of Cahir, Theobald Purcell, baron of Loghmoe, Richard Butler, of Killcash, esq. brother to my very good lord the earl of Ormonde, with *all other the baronels, knights, esquires, gentlemen, freeholders, and popish priests, in number about eleven hundred, that either dwell, or have entered or done any rebellious act in those two counties ! ! ! ! !* which indictments I make bold to send unto you to be presented unto the house, to the end they may be there considered of by such members thereof as are learned in the laws; that, if they be wanting in any formal point of the law, they may be reformed and rectified, and returned unto me, with such amendments as they shall think fit: and so (if the house please to direct) to have them all proceeded against to outlawry; whereby his majesty may be intitled to their lands and possessions, which (I dare boldly affirm) were at the beginning of this insurrection *not of so little yearly value as two hundred thousand pounds ! ! ! !* This course of proceedings against the lords and the rest was not by them suspected; and I assure you doth much startle and terrify them; for now they begin (though too late) to take notice, that *they are in a good forwardness to be attainted, and all their estates confiscated, to the corruption of their blood, and extirpation of them and their families ! ! ! !* And the height of their revenge is principally bent against the earl of Barrymore, myself, and my sons, which we all foresaw before we entered upon *this work of works !*"—Orrery, I. 8.

The annual income of the estates of those persons indicted, it appears was 200,000*l.* equal at the present value of money, to at least 1,200,000 pounds, or nearly 6,000,000 of dollars! Who can think of those horrible proceedings without abhorrence and detestation of the nefarious miscreants by whom they were perpetrated, and deep felt sympathy for the nations of such atrocious robbery? Among the victims were those noblemen and gentlemen who had waited on sir W. St. Leger to tender their services to preserve the peace of the country, and whom, for the purpose of paving the way to those confiscations, he treated so brutally, as may be seen page 274.

CHAPTER XXVII.

View of the spirit of the hostile parties in Ireland. Murderous and never-enough-to-be-execrated orders of the lords justices, and of the long parliament. Illustrious contrast on the part of the Irish.

> "Foul deeds will rise,
> Though all the earth o'erwhelm them, to men's eyes:
> And murder, though it have no tongue, will speak
> With most miraculous organ."—SHAKSPEARE.

BEFORE I enter on the investigation of the horrible and unparalleled cruelties alleged to have been perpetrated by the Irish in this civil war, I regard it as a duty to present a view of the spirit manifested in the orders given to the commanding generals on both sides, which will shed important light on this interesting subject; and add still further corroboration to the various proofs already adduced, of the unprecedented deceptions practised upon, and the erroneous impressions entertained by, the world at large, respecting Irish affairs.

He must be a mere sciolist in history, who requires to be informed that the most rigorous military discipline has too frequently, in every age, been utterly inadequte fully to restrain the ferocious and sanguinary spirit of mercenary armies, which, accustomed to scenes of blood and desolation, are too prone to be steeled against the calls of humanity. It is well known, moreover, that civil wars, are almost always signalized by incomparably more ruthless barbarity than wars between hostile nations. But, if the wisest regulations to restrain military violence, be always found difficult, and too often impossible, to be carried into effect, even in well-regulated armies, how frightful must be the result, when murder and desolation are not merely tolerated, but absolutely commanded; when the rulers

> "Cry havoc, and let slip the dogs of war;"

when military outrage is excited, by orders to slaughter the unoffending; and when the capacity to resist the violence of one party, is made a pretext for murder by the other!!!!

It will astonish the reader to learn, that the tenants of the regions below do not differ more from the purest cherub or seraph that the mind of man can conceive, than the fiend-like spirit of the orders promulgated by the lords justices, from those issued by the leaders of the Irish. None of those destroyers of mankind, who riot in human misery,

> "Wade through seas of blood,
> And walk o'er mountains of slaughtered bodies;"—LEE.

could exceed the lords justices, in the desolating inhumanity of their orders, which breathed nothing but an infuriate spirit of arson, devastation, and slaughter.

Their commanders were directed to "*consume, destroy, and demolish all the places where the rebels were relieved or harboured;*" to

"kill, slay, and destroy all the rebels and *their relievers.*"—CARTE, III. 61. But this was not all, nor half. How can I proceed to relate the execrable tale? It will hardly be believed. For the honour of human nature, it were to be wished that it could be utterly blotted from the records of history: but this is impossible. There it remains, and there it will eternally remain, to the never-dying infamy of those miscreant rulers. The orders close with a direction "*to kill and destroy ALL THE MEN able to bear arms*" in the places where the rebels were "*relieved and harboured! ! ! !*"*

The murderous spirit of these orders for the destruction of the harbourers of the insurgents, must excite the most unqualified horror and indignation in every man not utterly destitute of the feelings of humanity. It may be readily conceived, that defenceless individuals, scattered over an extensive country, cannot possibly prevent armed bodies of man from having access to their houses or plantations; nor can the inhabitants of cities, towns, or villages, destitute of fortifications or garrisons, effectually oppose their entrance. The attempt would ensure destruction, and could only be dictated by absolute insanity; and nothing but the most flagrant destitution of justice could ever induce commanders to punish the bare submission to overwhelming force and violence, with the rigour and severity due to the perpetration of the highest species of crimes.

Suppose, for a moment, that a civil war raged in this country, which God forbid—suppose further, that an army of five thousand men were to possess themselves, by force, of the city of Philadelphia. What sentence would be pronounced on the commanders of the adverse armies, who, to punish submission to violence, which our citizens had not the means of preventing, should, after the expulsion of their enemies, order an indiscriminate slaughter of all those capable of bearing arms? Would they not deserve to expiate their guilt by the most cruel torments that human ingenuity could devise? This was precisely the spirit of the orders issued by the lords justices, who therefore merit to be ranked with the Neros, the Caligulas, the Domitians, and

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* "*Order of the lords justices and council to the earl of Ormonde.*

By the lords justices and council, WM. PARSONS, JO. BORLACE.

"The rebels having assembled themselves in arms in hostile manner, with banners displayed, in several places about this city of Dublin, intending and openly professing to starve this city and this state, and his majesty's forces here, that so the rebels may the more easily possess themselves of the kingdom, deprive his majesty of his royal crown and sovereignty here, and root out, murder, and destroy, all the British and Protestants in the kingdom,

"It is resolved, That it is fit that his lordship do endeavour with his majesty's forces *to wound, kill, slay, and destroy*, by all the ways and means he may, all the said rebels, and their adherents and *relievers*; and *burn, spoil, waste, consume, destroy, and demolish ALL THE PLACES, towns, and houses, where the said rebels are, or have been, RELIEVED and HARBOURED*, and all the hay and corn there; and *kill and* DESTROY ALL THE MEN THERE INHABITING ABLE TO BEAR ARMS!!!!

"Given at his majesty's castle of Dublin, 23d February, 1641-2.

R. DILLON, F. WILLOUGHBY,
THO. ROTHERAM, J. TEMPLE,
AD. LOFTUS, ROBERT MEREDITH."—*Carte, III.* 61.

those other monsters, whose supreme delight was in the immolation of the human species.

This chapter being devoted merely to a review of the spirit with which the orders for war were issued on both sides, I reserve for a subsequent one a detail of the barbarous fidelity with which these horrible orders were carried into effect.

It must sicken every friend of mankind, to learn that the English parliament was actuated by the same nefarious spirit of slaughter of the Irish. It issued an ordinance, agreed upon after due deliberation, that "*no quarter should be given to any Irishman or Papist born in Ireland, taken in hostility to the parliament, on sea, or in England, or in Wales;*" and that, "*they should be excepted out of all capitulations.*"* This horrible decree, worthy of a pandemonium of fallen angels, Lucifer president, and Belzebub secretary, attaches an eternal blot on the escutcheons of the Hambdens, the Pyms, and the Essexes of that body, who, in their rancorous and remorseless hatred of Ireland and Irishmen, lost sight of every principle of humanity and justice, and of all the laws of civilized warfare.

The phraseology of this ordinance is very ambiguous, probably through design. It orders to be murdered,—for,

"Disguise it as we will,"

it is sheer, downright murder—it orders, I say, to be murdered "*all Irishmen and Papists born in Ireland.*" The sweeping command to murder "all Irishmen," rendered it wholly unnecessary to add, "all Papists born in Ireland," unless they wished the world to believe, that a "Papist born in Ireland" was a species of being different from an "Irishman."

To cap the climax of this atrocious cruelty, and to guard against the goadings of

"The tyrant Conscience,"

* *October* 24, 1644.

"An ordinance of the lords and commons assembled in parliament, commanding that no officer or soldier, either by sea or land, shall give any quarter to an Irishman, or to any Papist born in Ireland, which shall be taken in arms against the Parliament of England.

"The lords and commons assembled in the parliament of England do declare, that *no quarter shall be given to any Irishman, or to any Papist born in Ireland!!!* which shall be taken in hostility against the parliament, either upon the sea, or within this kingdom, or dominion of Wales!!! and therefore do order and ordain, that the lord general, lord admiral, and all other officers and commanders, both by sea and land, *shall except all Irishmen, and all Papists born in Ireland, out of all capitulations, agreements,* and compositions hereafter to be made with the enemy!!! and shall, upon the taking of *every such Irishman or Papist born in Ireland* as aforesaid, forthwith *put every such person to death!!*

"And it is further ordered and ordained, that the lord general, lord admiral, and the committees of the several counties, do give speedy notice hereof, to all subordinate officers and commanders, by sea and land respectively; who are hereby required to use their utmost care and circumspection, that this ordinance be duly executed; and lastly, the lords and commons do declare, that every officer and commander by sea or land, that *shall be remiss or negligent in observing the tenor of this ordinance, shall be reputed a favourer of the bloody rebellion of Ireland!!!* and shall be liable to such condign punishment as the justice of both houses of parliament shall inflict upon him."—RUSHWORTH, London, 1692, vol. V. page 783.*

* In a different edition this ordinance is in page 729.

whereby their commanders might be tempted to yield to the dictate of

> "Mercy! the brightest diadem of empire!
> Mercy, that does distinguish men from brutes,"

they denounced "condign punishment" against all such as should be "remiss or negligent" in carrying the ordinance into execution. They were to be stigmatized with the foulest stain that the vocabulary of reproach could at that day furnish; that is, "to be reputed favourers of the bloody rebellion of Ireland," and to be punished accordingly.

While such a barbarous and murderous decree imprints its inextinguishable and sanguinary stain on the records of that parliament and party, it requires the most unblushing impudence and effrontery to continue the outrageous abuse of the Irish, for the pretended murders and massacres of far more Protestants than were in the kingdom all together.

The reader may perhaps flatter himself with the fond hope that these orders were not, nor intended to be, carried into operation. Let him not

> "Lay this flattering unction to his soul."

A few pages hence, he will find that the sanguinary rulers found sanguinary ruffians, to carry their sanguinary mandates into effect, in the true spirit of desolation in which they were conceived.

Far different was the spirit by which the calumniated Irish were actuated. They denounced at an early period of the war, the strongest sentence of excommunication not merely against murderers, but against thieves, spoilers, robbers, and extorters; as well as against all such as should favour, receive, or in any way assist them;* and, lest this denunciation should prove ineffectual, they ordered their generals to punish offenders in the premises, under pain of interdiction.

These orders are signed by three archbishops, four bishops, and twenty-one other dignitaries of the church, of various degrees. They were enacted in a grand council, held in Kilkenny, in May, 1642. What a glorious contrast! how honourable to Ireland! between the

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* "*Articles agreed upon, ordained and concluded, in the general congregation, held at Kilkenny, May*, 1642.

"We declare the [present] war, openly Catholic, to be lawful and just; *in which war, if some of the Catholics be found to proceed out of some particular and unjust title, covetousness, cruelty, revenge, or hatred, or any such unlawful, private intentions, we declare them therein grievously to sin, and therefore worthy to be punished and restrained with ecclesiastical censures*, if (advised thereof) they do not amend."—Rushworth, V. 516.

"We will and declare *all those that murder, dismember, or grievously strike; all thieves, unlawful spoilers, robbers of any goods, extorters; together with all such as favour, receive, or any ways assist them, to be excommunicated*, and so to remain until they completely amend and satisfy, no less than if they were namely proclaimed excommunicated.

"We command all and every the generals, colonels, captains, and other officers of our Catholic army, to whom it appertaineth, that they *severely punish all transgressors of our aforesaid command, touching murderers, maimers, strikers, thieves and robbers*; and if they fail therein, we command the parish priests, curates, or chaplains respectively, to declare them interdicted; and that they shall be excommunicated, if they cause not *due satisfaction to be made unto the commonwealth, and the party offended*. And this the parish priests or chaplains shall observe, under pain of excommunication on sentence given ipso facto."—*Idem*, 520.

spirit they display, and that of the murderous ordinance of the long parliament, that "*no quarter should be given to any Irishman!*" or that of the lords justices, "*to kill all the males able to bear arms, inhabiting in places where the rebels*, (as they are falsely styled,) *were harboured!*" O, much-abused country! how little is the world acquainted with thy horrible sufferings! how inadequately does it appreciate thy real character! To what wretched historians has thy sad tale been confided! Will the justice of heaven never avenge thy wrongs, nor vindicate thy rights? Must centuries still roll on, and behold the countless blessings, which heaven has lavished, with liberal hand, on one of the fairest portions of the globe, blighted and blasted by a wretched policy, worthy only of ruthless eastern despotism?

CHAPTER XXVIII.

Cessation of hostilities. Furious and fanatical uproar. Thirst of blood and plunder. Arrant hypocrisy.

"Lust and Rapine both divide the spoil;
And giant Murder now bestrides our streets
Stalking in state, and wading deep in blood."—SOUTHERN.

THE war had raged for a considerable time with variety of success. Whatever considerable advantage had been gained on one side, was countervailed by some success on the part of the adversary. The Irish, goaded as we have seen, into insurrection by a combination of religious bigotry, deadly national hatred, and devouring thirst of confiscation and plunder, were ardently desirous of a lasting peace, or at least of a cessation of hostilities, as a measure preparatory to peace. The war was carried on against them with the most ruthless ferocity—The sword made no distinction between age or sex: and whatever rapine could not carry off, the fire consumed.

To the king a cessation of hostilities was at least equally an object of ardent desire. The war, which fraud and falsehood and perjury had distorted into a horrible conspiracy for the destruction of the protestant religion in Ireland, was charged to his account and that of the queen, who were publicly denounced as its authors, with views to accomplish their purposes on England. He had therefore sent repeated orders to the duke of Ormonde, to agree to a cessation of hostilities, on such terms as would have been perfectly satisfactory to the insurgents, whose chief objects were, a limited toleration of the exercise of their religion, and security against the odious depredations on their estates, of which they and their ancestors had so long been the hapless victims.

The policy of the duke of Ormonde throughout the whole of the civil war, is truly inexplicable, and wears a most sinister aspect. He steadily enjoyed the complete confidence of Charles I. to whom he always professed a most devoted attachment. Yet under a variety of the most absurd pretences, he procrastinated, and threw numberless obstacles in the way of, the cessation, notwithstanding the most imperious orders of his royal master, to whom it was a vital object. It was not finally ratified, until it was almost too late to answer any valuable purpose.

The fanatical and sanguinary spirit displayed in both kingdoms, when the cessation was proclaimed, is absolutely incredible. That benign measure, which must have been hailed with rapture by every good man in both countries, was received with as much execration and abhorrence, as if it were pregnant with destruction to the civil and religious liberties of the professors of the protestant religion throughout the British dominions. In the opposition to it were united a great variety of parties of very different views and principles—some of them merely deluded and misguided—others abandoned and wick-

ed.* Those who had indulged the piratical hopes of aggrandising themselves by the spoils to be acquired in the event of the expected confiscation of the estates of all the Roman Catholics in Ireland, and who had by every means in their power, extended the flames of civil war throughout the whole kingdom, were horror-struck at the idea of being deprived of their prey, when they flattered themselves they were on the point of the fruition of an object, which they so ardently pursued through fire and blood. They were clamorous against any measures whereby their hopes were likely to be disappointed. All the bigots and enthusiasts, who regarded the Roman Catholic religion as idolatry, and an abomination in the eyes of heaven, were equally indignant at the prospect of its being rescued from extirpation.† And the leaders of the parliament party in England, a most powerful, compact, and energetic body, to whom the Irish insurrection had been a powerful auxiliary, united in their detestation of, and opposition to, a cessation, though it did not compromit an iota of the honour, interest, or advantage of the ruling powers in either England or Ireland; and took place at a time when the Irish had manifestly the advantage over their enemies, in point of military force and resources. It excited nevertheless, as much uproar, horror, and indignation, in both islands, as if it had totally overthrown the existing order of things, extirpated the protestant religion, and given a complete ascendency to the Roman

* "This cessation was no sooner known in England, but the two houses declared against it, with all the sharp glosses upon it to his majesty's dishonour that can be imagined; persuading the people, "that the rebels were now brought to their last gasp, and reduced to so terrible a famine, that, *like cannibals, they eat one another, and must have been destroyed immediately, and utterly rooted out, if, by the Popish counsels at court, the king had not been persuaded to consent to this cessation.*"—CLARENDON, II. 323.

"Nov. 11, 1643. (As if massacres and assassinations had been light and venial crimes) another commission hath been granted under the same seal for a *cessation of arms with the barbarous and bloody rebels in Ireland*, after the effusion of so much innocent blood, and slaughter of *above one hundred thousand Protestants men, women, and children!** by their merciless and bloody hands; whereby a cessation of arms is accordingly concluded; and those brutish rebels thereby emboldened to prepare themselves, not only for a total extirpation of the Protestants remaining there, but for a conquest also of this kingdom!!!!"—RUSWORTH, V. 341.

† "The parliament's commissioners conclude, that whatsoever becomes of us, if we must perish, yet let us go to our graves with that comfort, that *we have not made peace with the enemies of Christ!!! yea, even enemies of mankind declared and unreconciled enemies of our religion and nation!*"—BORLACE, 135.

A declaratory and vituperative address to the king, by the general assembly of the kirk of Scotland, after a long enumeration of his crimes, wound up with the *cessation* as capping the climax: "we make bold to warn your majesty freely, that *the guilt which cleaveth fast to your majesty*, and to your throne, is such, as (whatsoever flattering preachers, or unfaithful counsellors, may say to the contrary,) if not timely repented of, cannot but involve yourself and your posterity, under the wrath of the everliving God, for your being guilty of shedding of the blood of many thousands of your majesty's best subjects;—for permitting the mass, and other idolatry, both in your own family, and in your dominions:—*** *for your complying too much with the Popish party many ways, and namely by concluding the cessation of arms in Ireland!*"

* Let it be observed that, according to sir W. Petty, there were at the commencement of the war, only 1,200,000 souls in Ireland, and the Protestants of every description were only as two to eleven of the Roman Catholics.

Catholics.* It affords a most important addition to the various proofs already given, of the insatiable and ravenous thirst of the blood and estates of the Irish, by which the rulers of the two countries were at that time devoured. The English parliament passed strong and decisive resolutions,† and entered a most solemn protestation, against the cessation, distinguished by the strongest marks of the sanguinary, fanatical, bigoted, and intolerant spirit of an age, which is so loudly but so absurdly and unjustly extolled for its liberality and illumination. In this wretched performance, replete with sophistry and declamation, they have the hardihood, I had almost said the blasphemy, to assert, "in the face of high heaven," that "*a cessation of arms*" would, by a suspension of religious persecution, "*provoke the wrath of a jealous God!!!!*"‡ Well may we exclaim, "Why sleep the thunders of heaven!" when wicked men, perpetrating the worst of crimes, varnish them over with such miserable imposture, to delude and deceive mankind! Never did the mind of man conceive, or pen or tongue express, a more abominable or execrable idea than is here unblushingly advanced: for if there be any thing peculiarly calculated "to provoke the wrath of a jealous God," it must be, not "a cessation" of the progress of slaughter and desolation, but the wanton waste and destruction of man, made to his own image and likeness.

* "The heads of that faction, who, by their measures, directions, and creatures, had used as much skill and industry to *improve and continue the rebellion*, as ever the first conspirators did to begin it, *were enraged to see a stop put to the further effusion of blood, and a foundation laid for a pacification*, which would defeat their schemes of extirpation.

"*They protested against all peace with the rebels, without regard to the terms of any*; which must have entailed a perpetual war on the kingdom of Ireland, till the nation itself was in a manner extirpated."—CARTE, I. 453.

"The rebellion had been suppressed without any of their assistance, were it not for their violent measures and threats of extirpation, which, terrifying and making the nobility and gentry of the English race desperate, *hurried them, in spite of their animosity against the old Irish, into an insurrection.* For the like detestable purposes, they had starved the war all the time it was carrying on in Ireland, and were *angry that a stop was put to it for a time by the cessation.*"—Idem, 463.

† "Sept. 20, 1643. It was resolved, upon the question, that this house doth hold that *a present cessation of arms with the rebels in Ireland is destructive to the protestant religion!! dishonourable to the English nation!! prejudicial to the interests of all the three kingdoms!!* and therefore do declare they neither do nor can consent or approve of any treaty of a cessation with the rebels, pretended to be begun by the king's commission."—JOURNALS, III. 248.

‡ "The lords and commons have reason to declare against *this plot and design of a cessation of arms!!!* as being treated and carried on without their advice; so also because of the great prejudice which will thereby redound to the protestant religion, and the encouragement and advancement which it will give to the practice of popery, when these rebellious Papists shall, by this agreement, continue and set up with more freedom their idolatrous worship, their popish superstitions, and Romish abominations in all the places of their command, to the dishonouring of God, the grieving of all true Protestant hearts, the dissolving of the laws of the crown of England, and to the *provoking of the wrath of a jealous God!* as if both kingdoms had not smarted enough already, for this sin of too much conniving at, and tolerating of antichristian idolatry, under pretext of civil contracts and politic agreements."—RUSHWORTH, V. 557.

"One to destroy is murder by the law,
And swords uplifted keep the wretch in awe;
To murder thousands takes a glorious name,
War's sacred art—and strews the road to fame."

Let me add a most singular and disgraceful fact; that, by this cessation, which afforded the only chance of retrieving his affairs, Charles lost some of his most devoted followers, whose rancorous and murderous spirit of hostility towards the Irish Roman Catholics, outweighed even their ardent attachment to their monarch, and their idolatrous veneration for the old regime.*

The government forces in the north, notwithstanding the solemnity of the cessation, continued the warfare, with every circumstance of slaughter and desolation, in order to provoke the Irish to resume their arms.† And the English house of commons was profligate enough to order a meeting of the adventurers who had speculated on the estates to be confiscated in Ireland, for the purpose of devising means to support the British army in Ulster, in the violation of that instrument.‡

This conduct merits serious consideration. A devouring civil war rages through a country, and renders it a fit abode for devils incarnate; mercenary soldiers spread havoc and desolation around; nothing, sacred or profane, neither the decrepitude of age, the tenderness of the sex, nor the innocence of infants escape their rage; the altars are sprinkled with the blood of human victims. Humanity turns aside from the hideous and loathsome scenes, and finds it not wonderful that "*it repented the Lord that he had made man on the earth.*" How infuriate then must be the passions of those who shudder at the delightful idea of sheathing the sword; and who, for the sake of plundering the devoted objects of their vengeance, seek to carry on an interminable

* "Several of the king's adherents ascribed *the cessation* to the counsels of the queen and her favorites. Some regarded it as a contradiction to those solemn protestations, which Charles had frequently made against Popery; and declared that *after this fatal discovery of his real sentiments, they could no longer continue to support his cause!!!*"—LELAND, III. 245.

† "The great body of Covenanters in Ulster despised the whole negociation; the parliamentarians of Munster opposed *any peace with the Irish.* These reformers, in the fulness of their zeal, could be contented only with the extirpation of popery, and the rebellious Irish race."—*Idem*, 331.

"In the northern province, the Scottish general, Monroe, disclaimed the cessation. And though, when he had first slaughtered some unoffending Irish peasants, he consented to wait the orders of the state of Scotland, or parliament of England, before he should proceed to further acts of hostility, yet he soon received instructions to carry on the war, without regard to the king's chief governor."—*Idem*, 250.

The officers of the Munster army in a memorial to king Charles I. against the cessation, state their "*resolve to die a thousand deaths, rather than condescend to any peace with these perfidious rebels!!! and since death is a tribute we must all pay, who will reprehend the payment of it somewhat the easier, to purchase by it a kingdom as full of glory, as this is now of misery to all honest men?*"—RUSHWORTH, V. 974.

‡ Dec. 30, 1643. "Ordered that the adventurers of this house for lands in Ireland, and the body of adventurers in London, do meet at the Grocers' Hall, on Thursday, in the afternoon, at two of the clock, and take into their serious consideration, *by what ways and means the British army in Ulster, opposing the cessation, may be maintained and encouraged to proceed in prosecution of that war of Ireland against the rebels!*"—JOURNALS.

war of extermination! for this must have been the obvious and unequivocal end of those who opposed a cessation of hostilities. There is probably no crime in the long bead-roll of human wickedness more atrocious than the prolongation, unnecessarily, of war, and particularly of civil war. Of this heinous offence no small portion of those men were guilty, whose names rank high in English history; but whose ambition, avarice, and rage against the Irish, steeled them against the cries of lacerated humanity, which loudly pleaded to stay the progress of the devouring sword, and restore the reign of blessed peace and tranquillity.

CHAPTER XXIX.

Was there really a massacre of the Protestants in 1641? *Unparalleled exaggeration. More Protestants pretended to be killed than there were on the island. Temple. Rapin. Hume. Clarendon. Conclusive evidence drawn from sir William Petty. Carte's and Warner's refutation of the legend.*

"Falsehood and fraud grow up in every soil,
The product of all climes."—Addison.

Although I have already in a former chapter incidentally touched on the numbers said to be massacred by the Irish in the insurrection of 1641, I think it proper to resume the subject, and go into it somewhat more at length, as it is a cardinal point in the vindication I have undertaken.

In order to proceed correctly in the investigation, I shall let the accusers narrate their own tales, in order to ascertain what is the sum and substance of the allegations.

"*The depopulations in this province of Munster do well near equal those of the whole kingdom! ! !*"—Temple, 103.

"There being, since the rebellion first broke out, unto the time of the cessation made Sept. 15, 1643, which was not full two years after, above 300,000 *British and Protestants cruelly murdered in cold blood!* destroyed some other way, or expelled out of their habitations, according to the strictest conjuncture and computation of those who seemed best to understand the numbers of English planted in Ireland, *besides those few which fell in the heat of fight during the war.*"—Idem, 6.

"Above 154,000 Protestants were massacred in that kingdom from the 23d October to the first March following."—Rapin, IX. 343.

"By some computations, those who perished by all these cruelties are supposed to be 150 or 200,000. By the most moderate, and probably the most reasonable account, they are made to amount to forty thousand! if this estimation itself be not, as is usual in such cases, *somewhat exaggerated!*"—Hume, III. 545.

"A general insurrection of the Irish spread itself over the whole country, in such an inhuman and barbarous manner, that there were forty or fifty thousand of the English Protestants *murdered, before they suspected themselves to be in any danger*, or could provide for their defence, by drawing together into towns or strong houses."—Clarendon's E. II.

That "Saul slew his thousands, and David his tens of thousands," was, in "olden time," sung by the women of Israel. Every Philistine was magnified into ten; every ten into a hundred; and every hundred into a thousand. But the amplifying powers of the Jewish women fade into insignificance, when compared with those of the Anglo-Hibernian writers. Every Englishman that fell in battle, or otherwise, was murdered. Every man was magnified into a hundred; every ten into a thousand; and every hundred into ten thousand.

Such a spirit of exaggeration has prevailed in a greater or less degree, in all ages. Even in common occurrences, hardly calculated to excite any interest, we daily find, that the statements of current events are so highly coloured, as to differ full as much from the reality, as the countenance of a meretricious courtezan, who has exhausted her stores of

carmine and white-lead, differs from the blooming countenance of an innocent country damsel, who depends wholly on the pure ornaments of beneficent Nature. This being undeniably the case, where no temptation to deception exists, how dreadful must be the falsehood and delusion in the present case, where ambition, avarice, malice, bigotry, national hatred, and all the other dire passions that assimilate men to demons, were goaded into activity!

In all other cases, but that of the history of Ireland, to convict a witness of gross, palpable, and notorious falsehood, would be sufficient to invalidate the whole of his evidence; but such has been the wayward fate of that country, that the most gross and manifest forgeries, which carry their own condemnation with them, are received by the world as though they were

"Confirmation strong as proofs of holy writ."

Or when some are found too monstrous to be admitted, their falsehood and absurdity do not impair the public credulity in the rest of the tales depending on the same authority.

The materials for Irish statistics, at that early period, are rare; a deficiency which involves this subject in considerable difficulty. Were correct tables of the population of Ireland to be had, the task would be comparatively easy; and I could put down all those tales, with as much ease as I have stamped the seal of flagrant falsehood on the many impostures already investigated.

But I avail myself of a sound rule, to employ the best evidence that the nature and circumstances of the case will admit; and there are fortunately, some important data, on which to reason, in the present instance, and to shed the light of truth on this intricate question, and dispel the dense clouds with which it has been environed by fraud and imposture.

Sir William Petty, the ancestor of the Lansdowne family, laid the foundation of a princely fortune, in the depredations perpetrated on the Irish, after the insurrection of 1641. Of course, he had no temptation to swerve from the truth in their favour; on the contrary, it was his interest, equally with the other possessors of the estates of the plundered Irish, to exaggerate their real crimes, and to lend the countenance of his reputation to their pretended ones. Hence his testimony, on this ground, and as a cotemporary, cannot, so far as it tends to exonerate those upon whose ruin he raised his immense estate, be excepted against by the enemies of the Irish. I shall therefore freely cite him in the case: and the reader will at once perceive to what an extent delusion has been carried on this subject.

He states the aggregate number of the Protestants who perished in eleven years, to have been 112,000; [Petty, 18,] of whom "two-thirds were cut off by war, plague, and famine." It is obvious to the meanest capacity, if, of 112,000, the whole number that fell in that space of time, two-thirds were cut off "by war, plague, and famine," that those who fell out of war, in *eleven years*, were only 37,000! I hope to prove, that even this statement, so comparatively moderate, is most extravagantly beyond the truth.

Sir William confutes himself, beyond the power of redemption.

"Mark how a plain tale shall put him down."

He bequeathed to posterity some statistical tables, which throw considerable light on this subject. They are very meagre, it is true; but, meagre as they are, I believe there are no others; at all events, I know of none; and must therefore avail myself of them.

He informes us, that the population of Ireland, in 1641, was, 1,466, 000;* and that the relative proportion of the Protestants to the Catholics, was as two to eleven;† of course, it follows, that the population was thus divided;—about 1,241,000 Roman Catholics, and 225,000 Protestants.

From this conclusion there is no appeal.

The supplies of people from England and Scotland, until after the final defeat, capture, condemnation, and death of Charles I. were inconsiderable:‡ and surely it is impossible for a rational being to believe, that out of 225,000, there could have been 112,000 destroyed, and the residue been able to baffle and defeat the insurgents, who comprised the great mass of the nation. It will therefore, I trust, be allowed, as an irresistible conclusion, that sir William Petty's calculation, although so far more moderate than any of the "tales of terror" quoted at the commencement of this chapter, is most extravagantly over-rated, probably trebled, quadrupled or quintrepled; and must, of absolute necessity, be extravagantly false.

But even admitting it to be correct, what an immense difference between 37,000 in eleven years—and the numbers so confidently stated by the various writers of Irish history! What astonishment must be excited by Burton's 300,000, in a few months; Temple's 300,000, in less than two years; May's 200,000 in one month; Warwick's 100,000, in one week; or Rapin's 40,000, in a few days! Surely there is not, in the history of the world, any parallel case of such gross, palpable, shocking, and abominable deception. Can language be found strong or bold enough to mark the dishonour of those who knowingly propagated such falsehoods, or the folly or neglect or wickedness of those who adopted and gave them currency? Their names ought to be held up, as "a hissing and reproach," to deter others from following in their foul and loathsome track of calumny and deception.

On the subject of the number of victims of the pretended massacre, the observations of Carte are so judicious and unanswerable, that they would be sufficient, independent of the other evidence I have produced, to put down forever those miserable legends about so many hundreds of thousands of the Protestants cut off in a few weeks, or months, or years, and to stamp on the foreheads of their authors the broad seal of outrageous imposture. He states, that the extravagant numbers asserted

* "This shows there were, in 1641, 1,466,000 people."—*Ibid.*

† For the present I admit this proportion; as, however exaggerated the number of the Protestants may be, it does not affect the point at issue. But, from various circumstances, it is doubtful whether there was one Protestant to eleven Roman Catholics.

‡ More Protestants, it is highly probable, removed from Ireland during the progress of the war, than the number of soldiers who were sent thither from England.

to be massacred, were "*more than there were of English, at that time, in all Ireland.*"—CARTE, I, 177.

"It is certain, that the great body of the English was settled in Munster and Leinster, *where very few murders were committed;* and that in Ulster, which was *the dismal scene of the massacre*, there were above 100,000 Scots, who, before the general plantation of it, had settled in great numbers in the counties of Down and Antrim: and new shoals of them had come over, upon the plantation of the six escheated counties: and they were so very powerful therein, that *the Irish, either out of fear of their numbers, or some other politic reason, spared those of that nation, making proclamation, on pain of death, that no Scotchman should be molested in body, goods, or lands*, whilst they raged with so much cruelty against the English."—*Ibid.*

"It cannot therefore reasonably be presumed, that there were at most above 20,000 English souls, of all ages and sexes, in Ulster at that time: and of these, as appears by the lords justices' letter, there were *several thousands got safe to Dublin, and were subsisted there for many months afterwards; besides* 6,000 *women and children*, which captain Mervyn saved in Fermanagh; and others that got safe to Derry, Colerain, and Carrickfergus, and went from those and other ports into England."—*Idem*, 178.

It is impossible to reconcile the latter part of the above quotations with the rest; a case, as we have repeatedly stated, that incessantly occurs in Irish histories. The author informs us, on rational grounds, that there were "*not more than* 20,000 *English in Ulster;*" that "*several thousand got safe to Dublin;*" that "6,000 *women and children were saved* in Fermanagh;" and that "others *got safe* to Derry, Colerain, and Carrickfergus." These all-important and conclusive facts he connects with a statement of "the *extreme cruelty* with which the insurgents raged against the English," and with a notice of the "*dismal scene of the massacre*," the subjects of which massacre are not very easily found, and, at all events, could not have been very numerous: for, let us add together "several thousands," and "6,000," and the "others" who "got safe" into the specified towns, where there were numerous garrisons; where, of course, in a time of violence and commotion, the inhabitants of the circumjacent country would naturally seek refuge; and where, it is not extravagant to suppose, that "the others," who thus "got safe," might have amounted to some thousands: let us then deduct the aggregate from 20,000, the total number of English, and we shall find a slender remainder. But the plain fact is, that the writers on this subject are so haunted by the idea of a massacre, that although it rests on the sandy foundation of forgery and perjury, as shall be fully proved in the sequel, and although many of their own statements, in the most unequivocal manner, give it the lie direct, their minds cannot be divested of the terrific object. These passages from Carte furnish a strong case in point. The most ardent friend of Ireland could not desire a much more complete proof of the fallacy of the accounts of the pretended massacre, than is here given by this author himself, who, nevertheless, wonderful to tell! appears to resist the evidence of his own facts, and to be blind to the obvious inference to which they inevitably lead.

Ferdinando Warner, a clergyman of the church of England, appears to have been the only writer who has gone into any elaborate investigation of the legendary tales of the pretended massacre; and his views of the subject well deserve the most serious attention of the reader. After stating the uncertainty of the accounts, and the consequent diffi-

culty of making an exact estimate, he pronounces a strong and unequivocal sentence of condemnation on the Munchausen tales we are combating; and avers, that

"*It is easy enough to demonstrate the falsehood of the relation of every Protestant historian of this rebellion.*"—WARNER, 296.

He proceeds to render a satisfactory account of the grounds on which this statement rests:

"*To any one who considers how thinly Ireland was at that time peopled by Protestants, and the province of Ulster particularly, where was the chief scene of the massacre,* THOSE RELATIONS UPON THE FACE OF THEM APPEAR INCREDIBLE."—*Ibid.*

"Setting aside all opinions and calculations in this affair, which, besides their uncertainty, are without any precision as to the space of time in which the murders were committed, the evidence from the depositions in the manuscript above mentioned stands thus:—The number of people killed, upon positive evidence, collected in two years after the insurrection broke out, adding them all together, amounts only to *two thousand one hundred and nine;* on the reports of other Protestants, *one thousand six hundred and nineteen more;* and on the report of some of the rebels themselves, a further number of *three hundred;* the whole making *four thousand and twenty-eight.* Besides these murders, there is, in the same collection, evidence, on the report of others, of eight thousand killed by ill usage: and if we should allow that the cruelties of the Irish out of war, extended to these numbers, which, considering the nature of several of the depositions, *I think in my conscience we cannot,* yet to be impartial we must allow, that *there is no pretence for laying a greater number to their charge.* This account is also corroborated by a letter, which I copied out of the council books at Dublin, written on the fifth of May, sixteen hundred and fifty-two, ten years after the beginning of the rebellion, from the parliament commissioners in Ireland to the English parliament. After exciting them to further severity against the Irish, as being afraid "their behaviour towards this people may never sufficiently avenge their murders and massacres, and lest the parliament might shortly be in pursuance of a speedy settlement of this nation, and thereby some tender concessions might be concluded," the commissioners tell them that it appears "*besides eight hundred forty-eight families, there were killed, hanged, burned, and drowned, six thousand and sixty-two.*"—WARNER, 297.

Thus I close this subject with stating, that these hundreds of thousands are reduced by Carte to 20,000, less "several thousands" and "6,000 women and children," and "others;" and by Warner to about 12,000, of whom only 4,028 were murdered, a large portion of which detail, "in his conscience," he cannot allow! Would it not be an insult to the reader, to offer another word, to prove the utter falsehood of all the terrific statements given of the subject, whereby the world has been so long and so grossly deceived?

THE LIBRARY OF THE NEW-YORK ATHENÆUM.

CHAPTER XXX.

Enquiry into the pretended cruelties of the Irish. May. Temple. Whitelock. Leland. Carte. Hume. Macaulay. Fugitives travelling on their knees. Refusing food. Ghosts on rivers for months screaming for revenge. Hearsay evidence.

"So many of their sayings which are recorded in the manuscript collection of depositions in my custody, *are so ridiculous, or incredible, or contradictory to one another*, as shew plainly that they spoke what their own, or the different passions and sentiments of their leaders prompted; sometimes, what came uppermost, or *they thought would best serve or vindicate their cause!*"—WARNER, 146.

"There is no credit to be given to any thing that was said by those people, which had not other evidence to confirm it: and the reason *why so many idle silly tales were registered, of what this body heard another body say!!* as to swell the collection to two-and-thirty thick volumes in folio, closely written, it is easier to conjecture than it is to commend."—*Ibid.*

"The bulk of this immense collection *is parol evidence, and upon report of common fame:* and what sort of evidence that is, may be easily learnt by those who are conversant with the common people of any country; especially when their imaginations are terrified with cruelties, and their passions heated by sufferings."—*Idem*, 295.

THE frauds and falsehoods already exposed to the reprobation of the reader, respecting the immense number of persons said to have been murdered during the insurrection of 1641, must have prepared him to lend an impartial ear to the exposure of frauds and falsehoods equally gross and shocking, respecting the pretended cruelties of the insurgents.

In Chapter XXIX, the accusers were allowed to prefer their charges in their own language, without exaggeration or extenuation. It is the only fair course of procedure. I pursue the same plan here; and lay before the reader the revolting statements of May,* Temple,† Whitelock,‡ Leland,§ Carte,‖ Hume,¶ and Mrs. Macauley.**

* "People of all conditions and qualities, of every age and sex, daily presented themselves, spoiled and stripped, with *no coverings but rags or twisted straw to cover their privities!!!* some wounded almost to death; others *frozen with cold!*

"They appeared like walking ghosts in every street; and all the barns, stables, and outhouses were filled with them, where they soon died in so great numbers, that *all the church-yards of Dublin could not contain them!!!*"—MAY, 86.

† "Some had their bellies ript up, and so left with their *guts running about their heels.* But this horrid kind of cruelty was principally reserved by these inhuman monsters for women, whose sex they neither pitied nor spared, hanging up several women, many of them great with child, whose bellies they ript up as they hung, and so let the little infants fall out; a course they ordinarily took with such as they found in that sad condition. And *sometimes they gave their children to swine! Some the dogs eat!* and some, taken alive out of their mother's bellies, they cast into ditches! And for sucking children, and others of a riper age, some had their brains knocked out; others were trampled under foot to death. *Some they cut in gobbets and pieces; others they ripped up alive! Some were found in the fields,*

To establish the falsehood of these hideous portraits of cruelty, a few lines might suffice. Those lines would carry conviction. It

sucking the breasts of their murdered mothers! Others lay stifled in vaults and cellars; others starved in caves, *crying out to their mothers rather to send them out to be killed by the rebels, than to suffer them to starve there.*"—TEMPLE, 88.

‡ "They drowned many hundred men, women, and innocent children, in the rivers. *Some they sent to sea in a rotten vessel, without any sails or rudder*, to be cast away: and great numbers of the English, after they had done all drudgeries for the rebels in hopes of mercy, had all their throats cut by them; and with some of them *the execrable villains and monsters would make themselves pastime and sport*, before their death, trying who could hack deepest into the Englishmen's flesh; and so with the highest torture and cruelty mangled them to death."—WHITELOCK, 49.

§ "Sometimes they enclosed them in some house or castle, which they set on fire, with a brutal indifference to their cries, and *a hellish triumph over their expiring agonies.* Sometimes the captive English were plunged into the first river, to which they had been driven by their tormentors. One hundred and ninety were, at once, precipitated from the bridge of Portnedown. *Irish ecclesiastics were seen encouraging the carnage. The women forgot the tenderness of their sex, pursued the English with execrations, and imbrued their hands in blood. Even children, in their feeble malice, lifted the dagger against the helpless prisoners.*"—LELAND, III. 147.

‖ "They gave a loose to the mortal hatred they bore the English; *and rivers of blood were inhumanly shed!* The island, formerly renowned for its piety, was now become a scene of massacres, which it would be shocking to humanity to repeat. *Every thing that the ferocity of their minds and the brutality of their nature could suggest, was put in practice by the common soldiers!*"—CARTE, I. 177.

¶ "An universal massacre commenced of the English now defenceless, and *passively resigned to their inhuman foes!!!* No age, no sex, no condition was spared. The wife, weeping for her butchered husband, and embracing her helpless children, was pierced with them, and perished by the same stroke. The old, the young, the vigorous, the infirm, underwent a like fate, and were confounded in one common ruin. In vain did flight save from the first assault. Destruction was every where let loose, and met the hunted victims at every turn."—HUME, III. 542.

** "*Slaughtering the English was represented by the priests as the most meritorious of religious acts!! They exhorted the people with tears in their eyes, to rid the world of these declared enemies to the Catholic faith and piety.* The murder of Protestants, they said, would be a good preservative against the pains of purgatory, nor would they administer the sacraments, but on condition that neither man, woman, nor child should be spared!!!!"—MACAULEY, III. 71.

"Some thousands of English were burned in their houses; others were *stripped naked*, and, *in hundreds in a drove*, pricked forward with swords and spikes to river sides, and from thence pushed headlong into the stream. Some were manacled and thrown into dungeons, and there left to perish at leisure. *Others were mangled, and left to languish in the highways! Some were happy enough to suffer the milder death of hanging.* Other more unfortunate wretches were buried alive. This was the fate of a poor little infant, who, whilst he was putting in the grave, cried out to his dead parent, 'Mammy, save me!' yet could not his innocent cry pierce the heart of the hardened wretch from whom he received his fate. *Some were mangled and hung upon tenter hooks!!* Some with ropes round their necks, were dragged through woods, bogs, and ditches till they died. *Some were hanged up by the arms, and then cut and slashed*, to see how many wounds an Englishman could endure. Some were ripped up, and their entrails left hanging about their heels. These kinds of cruelties were exercised on children of all ages, and many women with child suffered the same fate. *Children were forced to carry their sick and aged parents to the place of slaughter!!!!!* There were of those barbarians some so ingenious in their cruelty as to tempt their prisoners with the hopes of preserving their lives, to imbrue their hands in the blood of their relations! *Children were in this manner impelled to be the executioners of their parents,*

would be enough to state the simple fact, that the originals were drawn by the miserable and abandoned falsifiers, who have so long deluded the world with a belief that there were 100,000 persons massacred in one week, 200,000 in a month, and 300,000 in two years; (whereas sir William Petty, as I have stated, makes *the whole number that fell in eleven years, by war, plague, famine, and massacre*, 112,000, which I have proved extravagantly over-rated; and Warner, who had no partiality for the Roman Catholics, and who took more pains to investigate the subject than any other writer, either of the seventeenth or eighteenth century, reduces the number *killed out of war* to 4,028; with which Carte's account appears to correspond;) —who have recorded, that a general insurrection and massacre took place throughout the kingdom, on the 23d of October, 1641, whereas three-fourths of it were, for entire weeks afterwards, in a state of perfect tranquillity;—who have also recorded the falsehood, that Ireland enjoyed a sort of millenium for forty years previous to the insurrection, whereas she suffered, during that period, every species of the most revolting tyranny; in a word, who are, in almost every page of this work, convicted of a total disregard of truth. All these stories were dictated by the same spirit of imposture; penned by the same writers; rest, of course, on the same authority; and the falsehood of those already discussed being unanswerably proved, the residue must share the same sentence of condemnation.

This would be sufficient. Those convicted of fraud and falsehood, on so many points, where detection trod so closely on their heels, are utterly undeserving of credit, in any case; but more particularly in one wherein so many of the hideous passions of our nature, malice, revenge, ambition, and an insatiable thirst for rapine, spoil, confiscation, and extermination combined, and where the difficulty of detection invites the fraudulent to falsehood and forgery.

But of this plea I scorn to avail myself. I shall enter into a full examination of the evidence on which these legends rest; and feel confident that it will excite astonishment, how, even in times of the grossest delusion, they could have ever gained the slightest credence.

Temple, of all the writers whom I have quoted, is the only original author. His book is one unvaried tissue of fables, of which he was himself so much and so justly ashamed, that he endeavoured to suppress it; and actually refused permission to the booksellers of London to print a second edition.* But his endeavours were in vain; it too

wives of their husbands, mothers of their children!! and, then, when they were thus rendered accomplices in guilt, they were deprived of that life they endeavoured to purchase at so horrid a price. *Children were boiled to death in cauldrons!! Some wretches were flayed alive! Others were stoned to death! Others had their eyes plucked out; their ears, nose, cheeks, and hands cut off!* and thus rendered spectacles to satiate the malice of their enemies. Some were buried up to the chin, and there left to perish by degrees. *One Protestant minister was put into a cask, lined with iron spikes, and then rolled up and down till he was dead!!! Parents were roasted to death before their children, and children before their parents!*"— Idem, 71, 72.

* *Extract of a letter from the earl of Essex, lord-lieutenant of Ireland, to Mr. Secretary Coventry.*

Dublin Castle, Jan. 6, 1674–5.

"I am to acknowledge the receipt of yours of the 22d of December, wherein you

much flattered the existing prejudices,—too much favoured the views of those who unjustly possessed the estates of which the Irish were plundered, to hope that it would be allowed to sink into oblivion.

Carte's account affords a most striking display of the infatuation that prevails on this topic. The reader, in page 310, will find that he states, that the English were principally settled in Leinster and Munster; that there were few murders committed in those provinces; that the insurgents spared the Scotch, who composed the great mass of the Protestant population of Ulster; that there were not in that province more than 20,000 English; that of this number "several thousands" escaped to Dublin; that "6,000 were saved in Fermanagh; that "others," not improbably thousands, found an asylum in three fortified towns: and yet this same historian, in the very same page, and at the distance of a few lines, pathetically and feelingly informs his readers, that *rivers of blood were shed!! and massacres perpetrated, which it would be shocking to humanity to repeat!!*

While stating these particulars, mixed sensations of astonishment and indignation are excited, which the reader may conceive, but which language cannot express. One is lost in the mass of reflections excited by this stupendous delirium of the human mind. It affords another striking instance of the gross and glaring contradictions so constantly found between the different parts of the same history of Irish affairs. It is an extraordinary fatality, from which even the very few whose intentions appear correct, have not escaped. I have frequently had occasion to call the reader's attention to it; and am persuaded, there is no parallel to be found. In various cases, in which, after the historian has given a series of strong, bold, decisive facts, calculated to excite admiration of the endowments, sympathy for the sufferings, and eager wishes for the success of that oppressed, and, I had almost said, heaven-abandoned nation, he draws inferences not merely unwarranted by his facts, but in direct hostility with them. Of this wonderful contradiction between fact and induction, there are probably in Warner fifty, and in Leland a hundred instances: but there is none more remarkable than this of Carte. It would be like a search after the philosopher's stone; the genial climate and verdure of Italy in Iceland; free government in Turkey; or ease and opulence in the wretched cabins of the Irish peasantry; to go in quest of those "*rivers of blood*," or those "*massacres*," so "shocking to humanity," out of the remnant of his 20,000 English, after the "several thousands" whom he rescued from the skeins or stilettoes of the Irish assassins."

Mrs. Macauley has outdone the other painters of those imaginary scenes. More than half of her detail appears to be the production of her own invention; as there is nothing in Temple, or Rushworth, or any other writer I have seen, to warrant it; particularly the story of

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mention a book that was newly published, concerning the cruelties committed in Ireland, at the beginning of the late war. Upon further inquiry, I find sir J. Temple, master of the rolls here, author of that book, was this last year sent to by several stationers of London, to have his consent to the printing thereof. But *he assures me that he utterly denied it;* and whoever printed it, did it without his knowledge. Thus much I thought fit to add to what I formerly said upon this occasion, *that I might do this gentleman right, in case it was suspected he had any share in publishing this new edition*!!!"—Essex, 2.

the clergyman put into the cask with ironspikes, and rolled to death, and the children roasted to death before their parents, and the parents before their children.

Of all the writers on this subject, there is none deserving of more unqualified censure than Hume. He was under the influence of none of the dire passions that actuated some of the others. With a powerful mind and keen penetration, it was his duty to have examined carefully the credibility of his authorities; and it required a very cursory examination, indeed, of Temple's history, to be satisfied that to quote it was an ineffable disgrace. Yet, astonishing to tell, out of forty-eight references, in his account of the pretended massacre of 1641, there are no less than thirty-three to Temple, eleven to Rushworth, and only two each to Nalson and Whitelock. How utterly unworthy this procedure was of the talents and reputation of Hume; how indelible a stain it attaches to his memory; and how far, as respects this individual case, he is reduced to a level with the common race of historians, may be readily conceived, from the extracts which I shall produce from Temple's history. A large portion of the most horrible passages, for which he quotes that work, are grounded on hearsay testimony; which is distinctly stated in the depositions, as will appear in the course of the present chapter, and which, therefore, could not have been unknown to Hume, and ought to have forbidden him to place the least dependence on their authority.

But his offence is not confined to the original use of those "tales of terror." No: a much higher and more inexpiable one remains behind.

Dr. John Curry published a work of transcendant merit, of which the title is "Historical and Critical Review of the Civil Wars of Ireland," in which he fully displayed the falsehood, and completely overthrew the narrative of Temple. The peculiar characteristic of this work is, that almost every important fact it contains is supported by the most indisputable authority, not merely in the form of reference, but generally by exact quotation. It may be safely asserted, that a more valuable historical work was never published.* The author, in 1764, sent a copy of it to David Hume, then at Paris, with a request that he would give it a candid consideration, and correct the errors that he had committed, by his dependence on such a deceptious guide as Temple. To this letter Hume sent an "*evasive answer*,"† in which he declined committing himself by any promise;

* This review is earnestly recommended to the attention of the learned world. It is a perfect model of the manner in which history, on all disputed points, ought to be written. So luminous is Curry's style, so cogent his reasoning, and so indisputable his authorities, that the most inveterate prejudices must give way, on a candid perusal of the work.

† "I am here at such a distance from my authorities, that I cannot produce all the arguments which determined me to give the account you complain of, with regard to the Irish massacre. I only remember I sought truth, and thought I found it. The insurrection might be excused as having liberty for its object. The violence also of the puritanical parliament, struck a just terror into all the Catholics. But the method of conducting the rebellion, if we must call it by that name, was certainly such, and you seem to own it, as deserved the highest blame, and was one of the most violent efforts of barbarism and bigotry united. D. H."‡

‡ Curry, I. 215.

and never, in any subsequent edition, corrected a single error in this part of his work. On this conduct there can, among upright men, be but one sentence pronounced, a most unqualified sentence of reprobation.

To travel through the loathsome details of the evidence by which the terrific descriptions of the massacre, (as it is pompously styled,) are supported, is as disgusting to the moral sense, as it would be to the olfactory nerve to travel through filthy shambles, where neglect, and consequent putrescena had trebled the natural noisomeness of the place. These details exhibit human nature in its most hideous forms. Nothing meets the mind's eye, but fraud, forgery, and perjury; and, to crown the whole, the immolation, under the mockery of justice, of many of those wretched victims who had escaped the insatiate rage of Coote, Inchequin, Orrery, Hamilton, Grenville, Ireton, Cromwell, and the other sanguinary commanders who were engaged in the extirpation of the Irish.

Those who have attended courts of justice cannot have failed to observe the frightful frequency of perjury, so gross and so palpable as not to escape the detection of the most superficial observer, often in cases of slight importance, and holding out, of course, little temptation to the perpetration of this odious crime. When, therefore, nearly the whole fee simple of a fertile island was at stake; when rapine made hasty strides in the confiscation of millions of acres; when an estate of one, two, or three hundred thousand acres depended, as was often the lamentable case, on the oath of a single perjured witness; when no witness was too base, too profligate, too infamous, —no testimony too extravagant, too incredible, too impossible, to be admitted, to prove the guilt, confiscate the property, or sacrifice the life, of an Irishman; had the tales embraced in those depositions been all plausible and consistent; had each corroborated the others; had there not been the slightest contradiction between them, still every sound and unprejudiced mind would receive the accusations with large drawbacks and allowances; knowing well, that strong temptations to fraud and villainy will readily overcome the scruples of the profligate and abandoned part of mankind; that greater temptations to fraud, forgery, and perjury, never existed; that they were never more kindly received or encouraged; and also knowing, that during periods of civil war, when all the vile passions of human nature are let loose from their usual restraints,—when party rage, national antipathies, and religious persecution, all combine their deleterious influence, to demoralize and brutalize mankind, every species of profligacy and turpitude is nursed as in a hotbed.

How revolting is the fact, that a large portion of this evidence, I repeat, and wish indelibly impressed on the reader's mind, is sworn to on hearsay; that it is generally deficient of probability, and in many cases even of possibility; that it carries on its face the most irrefragable proofs of its utter falsehood, of the perjury of the witnesses, and of the wickedness of the judges who took the depositions! Many of those depositions relate to circumstances utterly impossible; as the shrieking of ghosts, standing upright in rivers, crying for revenge; naked bodies, struck at with drawn swords, proving invulnerable; grease adhering to the knives of murderers, in sufficient quantities to make candles; persons cut and hacked, and their bowels torn out, without shedding blood, &c. &c.

All the depositions taken at various times and places, to establish the guilt of the Irish, have been collected together, and bound up in thirty-two volumes, which are paged, indexed, and preserved with care in the library of Trinity College, Dublin. From these sir John Temple made a selection of those best calculated to answer his purpose. We may fairly presume, that, in forming his anthologia, he culled the sweetest flowers, and that those that remain are inferior to those he selected. Of the latter, I shall give such specimens, as cannot fail to excite the astonishment and horror of every man whose conscience is not seared with the hot iron of inextinguishable hatred to Ireland and Irishmen.

It may be a matter of surprise, why the tales were not dressed in better form; why, since plausible stories cost the inventors as little talents or trouble as incredible ones, they did not frame consistent narratives, which would stand the test of examination, and not carry their own condemnation with them. The answer is obvious. The taste of the purchasers regulates the manufacture of every article; and the object being to bear down a nation hated for the injustice it had suffered, envied for the little property it still possessed, and devoted to destruction by religious bigotry and the spirit of rapine and plunder, the more terrible the tales, the more acceptable. The supernatural power of witches, and the apparition of ghosts, were as firmly believed in those days of ignorance, as the existence and justice of the solemn league and covenant. Apparitions were therefore called in, as a necessary part of the machinery, to prop the evidence of the terror-inspiring massacre, and wonderfully heightened its effect. Millions of acres of land, and hundreds of lives, were sacrificed to appease the manes of those, whose screaming, shrieking ghosts were, for months together, invoking vengeance on their murderers, at Portnedown bridge!

The depositions quoted by Temple, and which form the basis of his history, may be fairly divided into four classes:

I. Those which assert things contrary to the order of nature; as the appearance of ghosts, &c.

II. Those which rest wholly on hearsay;

III. Those which are so manifestly improbable, as to preclude the assent of rational beings;

IV. Those which are drawn up without any internal evidence of their falsehood.

That the two first classes are to be rejected, without a moment's hesitation, no man will dare deny. That they ever were admitted, and that such men as Carte, Warner, Leland, and Hume, should have drawn from them any portion of the materials of their histories, must be matter of most profound astonishment.

The third class merits the same fate. I will give two instances, in illustration. May and Temple both state, that many of the English were so "*surbated*," by the fatigues of their flight from the murderous rebels, that they crept into Dublin *on their knees!** To a person

* "Some over wearied with long travel, and *so surbated as they came creeping on their knees!*"—Temple, 55.

"Some, tired with travel, and *so surbated that they came into the city creeping on their knees.*"—May, 86.

unacquainted with the topography of Ireland, it might appear that these miserable fugatives, who were so "surbated," had travelled two or three thousand miles over sands or rocks, or both; and wore out not only their shoes and stockings, but their feet. He could not conceive that the most distant point of the north, from Dublin, was not above a hundred and fifty or sixty miles; the average distance of the chief seats of the insurrection only about ninety; and the roads neither sandy nor stony. But when he is duly enlightened on these very abstruse points, and has reflected that a man not goaded on by apprehensions of skeins or daggers, could with ease walk one hundred miles in four or five days; that with such powerful stimuli, he would probably travel them in two or three; that it is not usual, in two or three, or even in four or five days' travelling, to wear out either shoes or stockings; that even if the shoes or stockings were worn out, it requires a far greater extent of travelling to wear out the feet; and that there is no instance on record, of a man preferring to travel on his knees instead of his feet, especially when fleeing from assassins: when he has, I say, duly weighed these considerations, and various others that must arise in his mind, he will conclude, that no man would have ever devised such a wretched story, but an abandoned and worthless impostor; and that none would give credit to it, but those whose folly was exactly commensurate with the fraud of the narrator.

The idea of people flying from the skeins and daggers of assassins, and so "*surbated*," by a journey of fifty, a hundred, or a hundred and fifty miles, as to be obliged to creep or crawl on their knees, is so absurd, so ridiculous, so farcical, so improbable, as to excite contempt; and would itself, if it stood single, be almost sufficient to destroy the credit of any historian, who could seriously attempt to impose such a romance on the world.

I shall be pardoned for glancing at another case of the testimony of this class. Temple informs us, that some of those "*surbated*" fugitives, who were "*almost naked*," refused to cover themselves with clothes, which were offered them; that they "*would not stir to fetch themselves food, though they knew where it stood ready for them;*" and that "*they lay in their own dung.*"* Comment on such legends would be insulting the understanding of the reader. I presume

* "Those of better quality, who could not frame themselves to be common beggars, crept into private places: and some of them, that had not private friends to relieve them, even wasted silently away, and so died without noise. I have known some of them that *lay almost naked, and having clothes sent, laid them by, refusing to put them on!!!* Others that *would not stir to fetch themselves food, though they knew where it stood ready for them!!!* But they continued to lie nastily in their *filthy rags*, and even THEIR OWN DUNG!! not taking care to have any thing clean, handsome, or comfortable about them: and so even worn out with the misery of the journey, and cruel usage, having their spirits spent, their bodies wasted, and their senses failing, lay here pitifully languishing; and soon after they had recovered this town, *very many of them died, leaving their bodies as monuments of the most inhuman cruelties used towards them.* The greatest part of the women and children, thus barbarously expelled out of their habitations, perished in the city of Dublin: and so great numbers of them were brought to their graves, *as all the church-yards within the whole town were of too narrow a compass to contain!*"—TEMPLE, 55.

that every account of this description is nearly on a level with the story of the ghosts that were perched in the river, screaming for revenge from Christmas till the end of Lent; and is entitled to the same unqualified rejection.

The fourth class alone is entitled to any consideration; and even that stands a fair chance of being involved in the same condemnation. Perjury was the order of the day; witnesses were suborned to shed innocent blood:* and where we can establish, beyond contradiction, the absolute and unqualified perjury of so many of the witnesses, who swear positively to impossibilities, or to tales of "*what this body heard another body say*," [WARNER, 146,] and, above all, when such a man as sir William Petty, boasted that he "had witnesses that would swear through a three-inch board," we are warranted in rejecting even that small portion of the evidence which wears a plausible appearance; for it would be extraordinary, if none of the perjurers could tell a consistent tale.

Those who have felt an interest in the support of fraud and imposture; whose blind prejudices rendered them insensible to the forgeries and perjuries on which Temple's history is grounded; or, to give their conduct a more favourable construction, who perhaps had never examined his book, have endeavoured to secure it a reputation and currency of which it is utterly unworthy. But it may be confidently averred, that no man who has read it with due attention can give the least credit to it, unless he be blind and deaf to the most common rules of evidence; and no man who has so read it, will pretend to believe it, unless he means to delude and deceive.

These strong assertions require equally strong support: no other would bear me out, or warrant the use of them. I trust I shall satisfy the most fastidious reader, that, however pointed is this reprobation of Temple's history, it is very far from over-strained. It will be an eternal subject of astonishment, how it has happened, that a lying legend, which carried a load of perjury sufficient "to sink a seventy-four," was ever able to support itself, and was not, with its wretched author,

"Damned to everlasting" infamy.

No reason would be sufficient, short of what I have already stated; that the confiscation of 10,000,000 acres of the soil of Ireland, projected by the London adventurers, sanctioned in part by the long parliament,† and in a great measure carried into effect by Oliver Cromwell, depended for its justification on this history, which interested so many thousands in the support of it, that, had it been incomparably more fabulous than it really is, their influence, particularly

* The reader is requested to turn to the duke of Ormonde's statement of the application to the privy council for the wages of prostitution;‡ that is payment for money expended for hiring those witnesses whose "*feet were swift to shed innocent blood;*" and above all, to the horrible fact of a jury finding one thousand bills of indictment in two days.§

† Supra, 269.

‡ Supra, 293. § Ibid.

as they have, ever since its first appearance, been the dominant party in Ireland, would have rescued it from the noisome pool of shame, disgrace, and oblivion, into which it would otherwise have been precipitated.

First class of depositions.

Impossibilities.

"James Geare, of the county of Monaghan, deposeth, That the rebels at Clownes murdered one James Netterville, proctor to the minister there, who, *although he was diversely wounded, his belly ripped up, and his entrails taken out, and laid above a yard from him, yet he bled not at all*, until they lifted him up, and carried him away; at which this deponent being an eye-witness, much wondered; and thus barbarously they used him, after they had drawn him to go to mass with them."—TEMPLE, 88.

"Mr. George Creighton, minister of Virginia, in the county of Cavan, deposeth, among other particulars in his examination, That divers women brought into his house a young woman, almost naked, to whom a rogue came up on the way, these women being present, and required her to give him her money, or else he would kill her, and so *drew his sword;* her answer was, 'You cannot kill me, unless God give you leave; and his will be done:' *whereupon the rogue thrust three times at her naked body, with his drawn sword, and yet never pierced her skin;* whereat he being, as it seems, much confounded, went away and left her: and that he saw this woman, and *heard this particular related by divers women*, who were by, and saw what they reported."—*Idem*, 123.

This wonderful story, be it observed, is testified to by a reverened minister of God, who was admirably qualified to authenticate it, as "*he heard it related by divers women, who saw what they reported.*"

The most extraordinary and extravagant circumstance is the appearance of the ghosts of murdered persons, which stationed themselves in the middle of a river, breast-high, and remained there for three months, that is, from December 20th, 1641, till the following Lent, seeking vengeance on the "bloody Papists," crying "*Revenge, Revenge, Revenge.*"

"Catharine, the relict of William Cooke, late of the county of Armagh, carpenter, sworn and examined, saith, That about the 20th of December, 1641, a great number of rebels, in that county, did most barbarously drown, at that time, one hundred and eighty Protestants, men, women, and children, in the river, at the bridge of Portnedown; and that *about nine days afterwards, she saw a vision or spirit, in the shape of a man*, as she apprehended, that appeared in that river, in the place of the drowning, *bolt upright, breast-high, with hands lifted up, and stood in that posture there, until the latter end of lent next following;* about which time, some of the English army marching in those parts, whereof her husband was one, (*as he and they confidently affirmed to this deponent*) saw that spirit or vision standing upright, and in the posture aforementioned; but after that time, the said spirit or vision vanished, and appeared no more, that she knoweth. And she heard, but saw not, that there were other visions and apparitions, and much shrieking and strange noise heard in that river, at times afterward. Jurat. February 24, 1643."—TEMPLE, 121.

"Elizabeth, the wife of captain Rice Price, of Armagh, deposeth and saith, That she, and other women, whose husbands were murdered, hearing of divers apparitions and visions which were seen near Portnedown bridge, since the drowning of her children, and the rest of the Protestants there, went unto the bridge aforesaid, about twilight in the evening; then and there, upon a sudden, *appeared unto them a vision or spirit, assuming the shape of a womam*, waist-high, upright, in the water, naked, with elevated and closed hands, her hair hanging down, very white, her eyes seemed to twinkle, and her skin as white as snow, which spirit seemed to stand straight up, in the water, often repeating the word, Revenge! Revenge! Revenge!

whereat this deponent, and the rest, being put into a strange amazement and affright, walked from the place. Jurat. January 29, 1642."—*Idem*, 122.

"James Shaw, of Market-Hill, in the county of Armagh, innkeeper, deposeth, That many Irish rebels, in the time of this deponent's restraint and staying among them, *told him very often, and that is was a common report*, that all those that lived about the bridge of Portnedown, were so affrighted with the cries and noise made there, of some spirits or visions, for revenge, as that they durst not stay, but fled away thence, (so as they protested,) affrighted to Market-Hill, saying, they durst not stay nor return thither, for fear of those cries and spirits, but took grounds and made creates in or near the parish of Mullabrack. Jurat. Aug. 14, 1642."—*Idem*, 121.

"Joan, the relict of Gabriel Constable, late of Drumard, in the county of Armagh, gentleman, deposeth and saith, *That she has often heard the rebels*, Owen O'Farren, Patrick O'Conellan, and divers others of the rebels at Drumard, *earnestly say, protest, and tell each other*, that the blood of some of those that where knocked in the heads, and afterwards drowned, at Portnedown bridge, still remained on the bridge, and would not be washed away; and *that often there appeared visions or apparitions, sometimes of men, sometimes of women breast-high above the water*, at or near Portnedown, which did *most extremely and fearfully screech and cry out for vengeance* against the Irish that had murdered their bodies there; and that their cries and shrieks did so terrify the Irish thereabouts, that none durst stay nor live longer there, but fled and removed further into the country; and this was a common report amongst the rebels there, and that it passed for a truth amongst them, for any thing she could ever observe to the contrary. Jurat. January 1, 1643."—*Ibid.*

Extract from the deposition of Robert Maxwell, dean, afterwards bishop of Kilmore:—

"The deponent further saith, That the first three days and nights of this present rebellion, viz. October 23, 24, and 25, it was generally observed, that *no cock crew! nor any dog was heard to bark! no not when the rebels came in great multitudes unto the Protestants' houses by night to rob and murder them!!!!* and about three or four nights before the six and fifty persons were taken out of the deponent's house and drowned, and amongst those the deponent's brother, lieutenant James Maxwell, in the dark of the moon, about one of the clock at night, *a light was observed, in manner of a long pillar, to shine for a long way through the air, and refracted upon the north gable of the house!! It gave so great a light, about an hour together*, that *divers of the watch read both letters and books of a very small character thereby!* The former the deponent knoweth to be most true, both by his own experience, and the general observation of as many as the deponent met with in the county Armagh. The latter was seen by all those of the deponent's family, and besides by many of his Irish guard."*—Borlace, App. 136.

"And further this deponent saith, That the rebels having exposed the murdered bodies of the British so long unto the public view and censure, that they began to stink and infect the air, which commonly (being a thing very strange) *would not sometimes happen till four or five weeks after the murders committed!!!!* they usually permitted some of their bodies to be removed, and cast into ditches."—*Idem*, 138.

"And the deponent further saith, that it was common table-talk amongst the rebels, that the *ghosts of Mr. William Fullerton, Timothy Jephes, and the most of those who were thrown over Portnedown bridge, were daily and nightly seen to walk upon the river!!!* sometimes singing of psalms, sometimes *brandishing of naked swords!!!* and sometimes *screeching in the most hideous and fearful manner!!!* The deponent did not believe the same at first; and yet is doubtful

* In strict propriety, it may be said, that this paragraph of the dean's deposition does not belong to this class—the impossibilities—although bordering on it. It is, at all events, almost miraculous; and as the age of miracles is over, the classification cannot be very improper. If I have erred in this arrangement, it is hoped the reader will accept this apology.

whether to believe it or not; but saith that divers of the rebels assured him, that they themselves did dwell near to the said river, and being daily frighted with these apparitions (but especially with their horrible screeching) were in conclusion forced to remove further into the country. *Their own priests and friars could not deny the truth thereof ! ! !* but as oft as it was by deponent objected unto them, they said, that it was but *a cunning slight of the devil to hinder this great work of propagating the catholic faith, and killing of heretics ! ! !* or that it was wrought by witchcraft ! ! The deponent himself lived within thirteen miles of the bridge, and never heard any man so much as doubt of the truth thereof; howsoever the deponent obligeth no man's faith in regard he saw it not with his own eyes; otherwise *he had as much certainty as morally could be required of such a matter ! ! !*"—Borlace, App. 136.

In any other history than that of Ireland, any further evidence of the utter falsehood of the accusations would be wholly unnecessary. These miserable depositions respecting screaming ghosts, and persons hacked and cut without bleeding—and corpses lying for weeks exposed to the air in a moist and warm climate without putrefaction, would destroy all confidence in the residue of the story, which would be rejected as a mere fairy tale. The swearers would be regarded as perjurers—the judges who received the depositions as miscreants who ought to be hurled from the bench with disgrace and dishonour—and the historian as a cheat and impostor who would dare attempt to deceive the world by such fraudulent and extravagant fictions. But I once more repeat, the fate of the Irish history is like that of no other. After having torn the veil that shrouded one mass of falsehood from the public eye, and exposed it in all its naked deformity to general detestation, another mass of corruption presents itself; and from the delusion that prevails on this subject requires equal pains to expose it. I therefore now proceed to the second species of testimony adduced to prove the horrible cruelties charged upon the Irish; I mean

Hearsay Evidence.

Dean Maxwell's deposition is a sort of history of the insurrection; the *abridgment* of it fills twelve folio pages, which contain so many extravagant and impossible tales, that no man could swear to it but a perjurer. How many pages the whole contained, whether twenty, or fifty, or one hundred, it is impossible to decide; it is "to be sought for in the archives of Dublin."*—*Idem*, 126.

* *Further extracts from the deposition of dean Robert Maxwell, sworn to, August* 22, 1642.

"Deponent saith, That *the rebels themselves told him*, this deponent, that they murdered nine hundred fifty-four in one morning, in the county of Antrim ! ! ! and that, beside them, *they supposed* they killed above eleven or twelve hundred more in that county ! ! ! *they told him likewise*, that Colonel Brian O'Neil killed about a thousand in the county of Down ! ! ! besides three hundred killed near Killeleigh, and many hundreds, both before and after, in both those counties ! ! !"—Temple, 113. Borlace, App. 135.

"That *he heard sir Phelim likewise report*, that he killed six hundred English at Garvagh, in the county of Derry ! and that he had left neither man, woman nor child alive in the barony of Munterlongy, in the county of Tyrone, and betwixt Armagh and the Newry, in the several plantations and lands of sir Archibald Atcheson, John Hamilton, Esq. the lord Caulfield, and the lord Mountnorris: and saith

The extracts from the dean's deposition in the preceding pages, on the subject of the screaming ghosts, might suffice to enable the

also, that there were above two thousand of the British murdered for the most part in their own houses, *whereof he was informed by a Scotchman ! ! ! !* who was in those parts with sir Phelim, and saw their houses filled with their dead bodies. In the Glenwood, towards Dromore, there were slaughtered, *as the rebels told the deponent, upwards of twelve thousand* in all ! ! !* who were all killed in their flight to the county of Down. The numbers of the people drowned at the bridge of Portnedown are diversely reported, according as men staid amongst the rebels. This deponent, who staid as long as any, and *had better intelligence* than most of the English amongst them, and had best reason to know the truth, saith, There were (*by their own report*) one hundred and ninety drowned with Mr. Fullerton ! ! at another time, they threw one hundred and forty over the said bridge ! ! at another time, thirty-six or thirty-seven ; and so continued drowning more or fewer, for seven or eight weeks, so as *the fewest which can be supposed* there to have perished, must needs have been above one thousand ! ! ! besides as many more drowned between that bridge and the great lough of Montjoy, besides those that perished by the sword, fire, and famine, in Coubrassil, and the English plantations adjacent ; which, in regard there escaped not three hundred out of all these quarters, must needs amount to many thousands ! ! !"—Temple, 113.

"And further saith, that he knew *one boy*, that dwelt near unto himself, and *not exceeding fourteen years of age, who killed at Kinnard in one night, fifteen able strong men with his skein, they being disarmed, and most of their feet in the stocks ! ! !* Another, not above twelve years of age, *killed two women and one man*, at the siege of Augher ! A woman, tenant to the deponent, *killed seven men and women of her English fellow tenants in one morning ! !* and, it was very usual, in all parts, for *their children to murder the Protestants' children ! !* and sometimes, *with lath swords heavy and well sharpened*, they would venture upon men and women of riper years, cruelties not to be believed, if there were not so many eye-witnesses of them."—Borlace, App. 136.

"And further saith, that it was *credibly told him*, that the rebels, *least they should hereafter be charged with more murders than they had committed ! ! ! !* commanded their priests to bring in a true account of them ; and that the persons so slaughtered, *whether in Ulster, or the whole kingdom, the deponent durst not inquire*, in March last, amounted unto one hundred fifty-four thousand ! ! ! !"—*Idem*, 132.

"He might add to these many thousands more ! ! but the diary which he, the deponent, wrote among the rebels, being burned with his house, books, and all his papers, *he referreth himself to the number in gross*, which the rebels themselves have upon inquiry found out and acknowledged ! which notwithstanding *will come short of all that have been murdered in Ireland, there being above one hundred fifty and four thousand now wanting* of the British within the very precinct of Ulster ! ! !"—*Idem*, 135.

"And further saith, That the rebels would send their children abroad in great troops, and especially near unto Kinnard, armed with long wattles and whips, who would therewith beat dead men's bodies about their privy members, until they beat or rather thrashed them off; then would return in great joy to their parents, who received them for such service as it were in triumph ! !"—Temple, 113.

"Further, this deponent saith, That it was usual sport with one Mac-Mahon, captain of the castle and town of Monaghan, (as *the said Mac-Mahon confessed* before Mr. Hugh Echline and many others,) to take a wooden prick or broach, and thrust it up into the fundament of an English or Scotchman ! ! ! and then after drive him about the room with a joint stool ! ! ! until, through extreme pain, he either fainted, or gave content to the spectators by some notable skips and frisks ; which rare invention he offered to put in practice at the same time and in the same place where he boasted thereof ! ! but that the said Mr. Ecline prevailed with him to omit it, as sufficiently (without any further demonstration) believing the excellency of the sport."—Borlace, App. 138.

* Borlace makes the number only 1200.

reader to appreciate the merits of this most reverend gentleman, and the credit due to his testimony. Should any doubts remain on the subject, the annexed particulars will fully and finally remove them for ever.

The dean swears, with great gravity, that "there were upwards of 12,000 slain in the Glenwood, *as the rebels told this deponent!*" there were "954 murdered in one morning, *as the rebels themselves told him;*" there were moreover, "above 2,000 murdered in their own houses, *as he was informed by a Scotsman;*" and sir Phelim O'Neil had "left neither man, woman, nor child alive, from Armagh to Newry, *as he heard sir Phelim himself report.*"

On the dean's authority rests the hacknied assertion, that the precise number of one hundred and fifty-four thousand were massacred, in four months, in Ulster; and yet, wonderful to tell, there is in this very deposition, on the all-important topic of the "*hundred and fifty-four thousand* persons slaughtered," a most palpable and overwhelming contradiction, which at once destroys its credibility. In one part of it, the dean swears that "it was *credibly told him*, that the persons slaughtered amounted to one hundred and fifty-four thousand, *whether in Ulster or the whole kingdom*, he durst not inquire." Why he durst not inquire, is not stated; and it is impossible to assign any reason:—the story carries absurdity on its face; the one kind of information was as readily and as soon acquired as the other. In a subsequent page, he swears positively, that "*there were then above one hundred and fifty-four thousand wanting in the province of Ulster alone.*" This discordance, which would destroy the evidence, in any honourable court in Christendom, of a Washington, a Franklin, a Fayette, a Sheridan, a Brougham, or a Wyndham, was of no importance in the *era of perjury*, anno 1642, when the lives and fortunes of the Irish were at stake, and when princely fortunes were the reward of the perjurer and his employer.

A petition of "the divines of the assembly," delivered to parliament, July 19, 1643, contains the following extraordinary and extravagant declaration, which the petitioners must have known to be utterly destitute of even the shadow of foundation. It is grounded on, and nearly verbatim with, the hearsay deposition of the dean Maxwell:

"In this rebellion, so barbarous and bloody, 154,000 *Protestants, men, women, and children, Scotch and English, were massacred in that kingdom, between Oct.* 23, *when the rebellion broke forth, and the* 1st *March following!!* by the computation of the priests themselves!! who were present, and principal actors in all those tragedies, and *were directed by some chief rebels of Ireland to take this computation, lest they should be reported to be more bloody than in truth there was cause!!* All which appears by the examination of archdeacon Maxwell, *who lived a long time a prisoner with sir Phelim O'Neil's mother, and was there when this computation was brought in.*"—Rushworth, V. 355.

To give currency to this wretched, absurd, and notorious imposture, the English House of Commons, with an utter disregard of truth and character, ordered it to be read by the ministers of every parish within the kingdom, in their several churches and chapels:

July 25, 1643. "It is this day ordered by the House Commons, that the ministers of every parish within the kingdom shall read this declaration in their several

churches and chapels, on the next fast-day after the same shall come to their hands, after the ending of the first sermon, and before the beginning of the next."—*Idem*, 356.

Thus making the temples of the Living God the instruments of poisoning the minds of his worshippers, by the propagation of flagrant falsehood.

Next to dean Maxwell's deposition for extent, is that of a certain Anthony Stratford, who enters into minute details of events, not one of which he says he saw. The insurrection began on the 23d of October, 1641, and his deposition was taken on the 9th of March, 1643; that is, above sixteen months from the time when it commenced. By his own account, he was for *fourteen months a prisoner!!** He does

* "Captain Anthony Stratford deposeth, and saith, that

"These Protestant ministers following, about the beginning of the present rebellion, were murdered in the counties of Tyrone and Armagh, viz. Mr. John Matthew, Mr. Blythe, Mr. Hastings, Mr. Smith, Mr. Darragh, Mr. Birge, and eight more, whose names this deponent hath forgotten, by the rebels, none of which would the rebels permit to be buried; the names of such as murdered, this examinant knoweth not; *his cause of knowledge of the said murders is, that some of his, this deponent's servants, who were among the rebels, did give him the relation !!!! and he verily believeth them !!!!* and besides, this deponent heard the same confessed and averred by many of the rebels themselves, and by some of those Protestants that had escaped: and that he this deponent was a prisoner among the rebels, at Castlecaufield, near the place of those murders, WHERE HE CONTINUED FOURTEEN MONTHS! And further saith, that in Dungannon, in the county of Tyrone, or near thereunto, the rebels murdered three hundred and sixteen Protestants!! and between Charlemont and Dungannon, above four hundred!! that there were murdered and drowned at and in the river Benburb, by the Black water, between the counties of Armagh and Tyrone, two hundred and six Protestants; and Patrick MacGrew, of Dungannon, aforesaid, murdered thirty-one in one morning; and *two young rebels, John Begbrian and Harry, murdered in the said county of Tyrone, one hundred and forty poor women and children* that could make no resistance!!! and that the wife of Brien Kelly of Loghall, in the county of Armagh, (one of the rebels' captains,) *did with her own hands murder forty-five !!!* And deponent further saith, that one Thomas King, sometime sergeant to the late lord Caufield's company, (which this deponent commanded) he being forced to serve under the rebels, and was one of the provost marshals, gave the deponent a list of every householder's name so murdered, and the number of persons so murdered; *which list this deponent durst not keep !!!* At Portnedown there were drowned at several times about three hundred and eight, who were sent away by about forty or such like numbers, at once, with convoys, and there drowned: There was a lough near Loghall aforesaid, where were drowned above two hundred, *of which this deponent was informed by several persons !!!* and particularly by the wife of doctor Hodges, and two of her sons, who were present and designed for the like end: but by God's mercy, that gave them favour in the eyes of some of the rebels, they escaped; and the said Mrs. Hodges and her sons gave the deponent a list of the names of many of those that were so drowned, which the *deponent durst not keep!!*

"At a mill pond in the parish of Kilamen, in the county of Tyrone, there were drowned in one day three hundred!! and in the same parish there were murdered of English and Scottish twelve hundred, *as this deponent was informed by Mr. Birge, the late minister of the said parish !!!!** who certified the same under his

* The wonderful density of the population of this parish, where fifteen hundred persons were murdered, might excite doubts, but for the circumstance, that this important fact was "*Mcertified by r. Birge under his own hand!!!*" It is much to be regretted that the deponent "*durst not keep*" this valuable document, which was worthy of being preserved in the archives of Ireland.

not state when he was first confined; but we will suppose one month after the first date, and that he was released one month before the second. Yet he swears positively to various circumstances, which as

hand, *which note the deponent durst not keep!!* tho said Mr. Birge was murdered three months after: all which murders were in the first breaking out of the rebellion, but the particular times this deponent cannot remember, neither the persons by whom they were committed. *This deponent was credibly informed by the said sergeant and others of this deponent's servants*, (who kept company with the rebels,) and saw the same, that many young children were cut into quarters and gobbets by the rebels; and that eighteen Scottish infants were hanged on a clothier's tenterhook; and that they murdered a young fat Scottish man, and *made candles of his grease !!!* they took another Scottish man and ripped up his belly, that they might come to his small guts, the one end whereof they tied to a tree, and made him go round, until he had drawn them all out of his body; they then saying, that *they would try whether a dog's or a Scotchman's guts were the longer!!*

"ANTHONY STRATFORD.

"Deposed, March 9, 1643, before us,

"HENRY JONES,

"HENRY BRERETON."—Temple, 110.

"Dame Butler being duly sworn, deposeth that *she was credibly informed by Dorothy Renals ! !* who had been several times an eye witness of these lamentable spectacles, that she had seen to the number of five and thirty English going to execution: and that she had seen them when they were executed, their bodies exposed to devouring ravens, and not afforded so much as burial.

"And this deponent saith, That *sir Edward Butler did credibly inform her*, that James Butler, of Finyhinch, had hanged and put to death, *all the English that were at Goran and Wells, and all thereabouts ! ! !*

"Jane Jones, servant to the deponent, did see the English formerly specified going to their execution; and, as she conceived, they were about the number of thirty-five; *and was told by Elizabeth Home !* that there were forty gone to execution. Jurat. Sept. 1642."—*Idem*, 116.

"Thomas Fleetwood, late curate of Kilbeggan, in the county of Westmeath, deposeth, That, *he hath heard from the mouths of the rebels themselves of great cruelties acted by them !* And, for one instance, that they stabbed the mother, one Jane Addis by name, and left her little sucking child, not a quarter old, by the corpse, and then they put the breast of its dead mother into its mouth, and bid it 'suck, English bastard;' and so left it there to perish. Jurat. March 22, 1642."—*Idem*, 90.

"Richard Bourk, bachelor in divinity, of the county of Fermanaugh, deposeth, That *he heard, and verily believeth;* the burning and killing of one hundred, at least, in the castle of Tullah ! ! ! and that the same was done after fair quarter promised. Jurat. July 12, 1643."—*Idem*, 84.

"William Parkinson, of Castle-Cumber, in the county Kilkenny, gent. deposeth, That *by the credible report, both of English and some Irish ! !* who affirmed they were eye witnesses of a bloody murder committed near Kilfeal, in the Queen's county, upon an Englishman, his wife, four or five children, and a maid, all which were hanged, by the command of sir Morgan Cavanagh and Robert Harpool, and afterwards put all in one hole; the youngest child being not fully dead, put out the hand, and cried Mammy, mammy; when without mercy they buried him alive." Jurat. February 11, 1642."—*Idem*, 87.

"Owen Frankland, of the city of Dublin, deposeth, That *Michæl Garray told this deponent ! !* that there was a Scotchman, who being driven by the rebels out of Newry, and knocked on the head by the Irish, recovered himself, and came again into the town naked; whereupon the rebels carried him and his wife out of the town, cut him all to pieces, and with a skein ripped his wife's belly, so as a child dropped out of her womb. Jurat. July 23, 1642."—*Idem*, 89.

"Alexander Creighton, of Glaslough, in the county of Monaghan, gent. deposeth, That *he heard it credibly reported* among the rebels at Glaslough, aforesaid ! ! that Hugh Mac O'Degan, a priest, had done a most meritorious act, in drawing betwixt

he pretends, occurred, in different parts of the province, during his imprisonment, with as much confidence as if he had been an eye-witness of the whole; and so shameless was the villain, so profligate were the

forty and fifty English and Scotch, in the parish of Gonally, in the county of Fermanagh, to reconciliation with the church of Rome; and, after giving them the sacrament, demanded of them whether Christ's body was really in the sacrament or no! and they said, Yea. And that he demanded further, Whether they held the pope to be supreme head of the church? They likewise answered, He was. And that thereupon he presently told them, They were in good faith, and for fear they should fall from it, and turn heretics, he and the rest that were with him, cut all their throats. Jurat. March 1, 1641."—*Idem*, 100.

"Richard Bourke, bachelor of divinity, deposeth, *that he was informed*, that Mr. Lodge, archdeacon of Killalow, being buried about six years since, and divers others ministers' bones, were digged out of their graves as patrons of heresy, by direction of the titular bishop of Killalow. Jurat. July 12, 1643."—*Idem*, 95.

"James, of Hacketstown, in the county of Catherlogh, deposeth, That *an Irish gentleman told him and others*, that he had turned an English woman away, who was his servant, and had a child; and that before the poor woman and child had gone half a mile, divers Irish women slew them with stones. Jurat. April 21, 1643."—*Idem*, 93.

"John Clerk, of Knockback, gentleman, deposeth, That *he heard credibly from Mr. Lightbourne*, minister of the Naas, that the rebels shot a parish clerk, near Kildare, through his thighs, and afterwards digged a deep hole in the ground, wherein they set him upright on his feet, and filled up the whole in the earth, leaving out only his head, in which state they left the poor wounded man, till he pined, languished, and so died. Jurat. October 24, 1643."—*Ibid.*

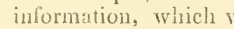
"Katherine, the relict of William Coke, of the county of Armagh, deposeth, That many of her neighbours, who had been prisoners among the rebels, *said and affirmed!! that divers of the rebels would confess, brag and boast!!* how they took an English Protestant, one Robert Wilkinson, at Kilmore, and held his feet in the fire until they burned him to death. Jurat. February 24, 1643."—*Ibid.*

"Dennis Kelley, of the county of Meath, deposeth, That Garret Tallon, of Cruistown, in the said county, gentleman, *as is commonly reported!!* hired two men to kill Anne Hagely, wife to Edward Tallon, his son, a Papist, and at that time absent from home; and the said two men did, in a most bloody manner, with skeins, kill the said Anne Hagely, and her daughter, and her daughter's two children, because they would not consent to go to mass. Jurat. August 23, 1643."—*Idem*, 92.

"Joseph Wheeler, of Stancarty, in the county of Kilkenny, Esq.; Elizabeth, the relict of William Gilbert, and others, sworn and examined, depose and say, *That they have credibly heard and believed!!* that Florence Fitz-Patrick having enticed a rich merchant of Mountwrath to his the said Fitz-Patrick's house, to bring thither his goods, which he promised should be safely protected and safely re-delivered: he the said Florence Fitz-Patrick possessing those goods, afterwards caused the said merchant and his wife to be hanged; *and they have credibly heard*, that the said Florence Fitz-Patrick also hanged lieutenant Keiss and his son, one Hughes, a school-master, and divers other Protestants."—*Idem*, 117.

"Jane, the wife of Thomas Stewart, deposeth and saith; All the men, women, and children of the British that then could be found within the town of Sligo (saving this deponent, *who was so sick that she could not stir!!!*) were summoned to go into the gaol, and as many as could be met with, all were carried and put into the gaol, where, about twelve o'clock in the night, they were stripped stark naked, and after most of them were most cruelly and barbarously murdered with swords, axes and skeins: and saith that above thirty of the British which were so put into the gaol, were then and there murdered: besides Robert Gumble, then provost of the said town of Sligo, Edward Newsham, and Edward Mercer, who were wounded and left for dead amongst the rest, and Joe Stewart, this deponent's son, which four being next day found alive, yet all besmeared with blood, were spared to live. *All which particulars the deponent was credibly told by those that escaped!!!!!!*

wretched magistrates who took his deposition, so abandoned was the spirit of the age, that, without scruple, he avowed his perjury, by stating the sources of his information, which were as various as the



and by her Irish servants and others of the town ! ! and saith, that some of the women so murdered being big with child (by their wounds received) the very arms and legs of the children in their wombs appeared, and were thrust out; and one woman, viz. Isabel Beard, being in the house of the friars, and hearing the lamentable cry that was made, ran into the street, and was pursued by one of the friar's men unto the river, where she was barbarously murdered, and found the next day, with the child's feet appearing, and thrust out of the wounds in her side: and further saith, that on the said sixth day of January, there were murdered in the streets of the town of Sligo, these British Protestants following, viz. William Shiels and John Shiels his son, William Mapwell and Robert Akin: and the deponent further saith, (*as she was credibly informed by the persons before named ! ! ! !*) that the inhuman rebels, after their murders committed in the said gaol, laid and placed some of the dead bodies of the naked murdered men upon the naked bodies of the women, in a most immodest posture, not fit for chaste ears to hear! in which posture they continued to be seen the next morning by those Irish of the town that came into the said gaol, who were delighted and rejoiced in those bloody murders and uncivil actions! and that they of the Irish, that came to bury them, *stood up to the mid-leg in the blood and brains of those that were so murdered ! ! ! ! !* who were carried out, and cast into a pit digged for that purpose, in the garden of Mr. Ricrofts, minister of Sligo."—*Idem*, 108.

"John Birne, late of Dungannon, in the county of Tyrone, deposeth, That *he heard some of the native Irish ! !* that were somewhat more merciful than the rest, complain that two young cow-boys, within the parish of Tullah, had at several times murdered and drowned thirty-six women and children! ! Jurat. January 12, 1643."—*Idem*, 97.

"William Lucas, of the city of Kilkenny, deposeth, That although he lived in the town, till about five or six weeks past, in which time *he is assured !* divers murders and cruel acts were committed, *yet he durst not go abroad to see any of them ! ! !* but *he doth confidently believe ! ! !* that the rebels having brought seven Protestants' heads, whereof one was the head of Mr. Bingham, a minister, they did then and there, as triumphs of their victories, set them upon the market-cross, on a market day; and that the rebels slashed, stabbed, and mangled those heads! put a gag, or carrot, in the said Mr. Bingham's mouth; slit up his cheeks to his ears! ! laying a leaf of a Bible before him, and bid him preach, for his mouth was wide enough; and after they had so solaced themselves, threw those heads into a hole, in St. James's Green. Jurat. August 16, 1643."—*Ibid.*

"Christian Stanhaw, the relict of Henry Stanhaw, late of the county of Armagh, Esquire, deposeth, that a woman that formerly lived near Laugale, *absolutely informed this deponent ! ! !* that the rebels enforced a great number of Protestants, men, women, and children, into a house which they set on fire, purposely to burn them; as they did; and still as any of them offered to come out, to shun the fire, the wicked rebels, with scythes, which they had in their hands, cut them in pieces, and cast them into the fire, and burned them with the rest. Jurat. July 23, 1642."—*Idem*, 94.

"John Montgomery, of the county of Monaghan, sworn and examined, saith, That *he was credibly informed ! ! !* that the daughter-in-law of one Foard, in the parish of Clownish, being delivered of a child in the fields, the rebels who had formerly killed her husband and father, killed her and two of her children, and suffered the dogs to eat up and devour her new-born child! Jurat. June 26, 1642."—*Idem*, 89.

"John Stubs, of the county of Longford, gentleman, deposeth, That *he heard, by some of the sheriff"s men ! ! ! !* that Henry Mead and his wife, John Bigel, William Stell, and Daniel Stubs, the deponent's brother, were put to death by Lysach Farrol's and Oli Fitzgerald's men, who hanged them upon a windmill, and

different items of his testimony. In one case, "*some of his servants, who were among the rebels, did give him the information;*" in another "*Thomas King did give him a list of the householders so murdered;*" in another "*the wife of Dr. Hodges, and her two sons gave him a list;*" in another the murder of fifteen hundred in one parish is "*certified by Mr. Birge under his own hand;*" and in this manner, he proceeds throughout the whole deposition.

I now close the second class of the testimony, on which the wretched legend of the Irish massacre rests. I trust the reader will agree that it fully realizes Warner's description, and is nothing more than a collection of "*idle, silly tales,*" of "*what this body heard another body say.*" [WARNER, 146.] One man swears, that he "*heard, and verily believeth;*" another, that he "*heard it credibly reported* among the rebels themselves;" a third, that "*an Irish gentleman told him and others;*" a fourth, that "*he was informed;*" and a fifth, that "*a woman absolutely informed this deponent;*" and similar ribald nonsense, to which nothing but the spirit of fraud, falsehood, perjury, and rapine, that predominated among the rulers of Ireland at that period, could have given currency; and which would not, at present, be admitted as evidence, by the mast paltry, pettifogging justice of the peace, against the lowest wretch in the community.

Is there a man, not lost to every sense of honour and justice, who can read this account without horror, amazement, indignation, and regret? horror at the atrocious wickedness of the host of perjurers,

when they were half dead, they cut them to pieces with their skeins. Jurat. Nov. 21, 1641."—*Idem*, 90.

"Charity Chappel, late wife of Richard Chappel, esquire, of the town and county of Armagh, deposeth, That, *as she hath credibly heard*, the rebels murdered great numbers of Protestants, and that many children were seen lying murdered in vaults and cellars, whither they had fled to hide themselves. Jurat. July 2, 1642." —*Idem*, 90.

Extract from the deposition of John Carmick.

"Twenty-two castles were seized upon, and the Church of Monah, with eighteen Protestants, burnt in it: seven hundred and sixty-four Protestants were destroyed in that county; and *I did hear that there were about* 152,000 *that they had destroyed in that province of Ulster, in the first four months of the rebellion.*

JOHN CARMICK."*

"Arthur Culm, of Cloughwater, in the county of Cavan, esquire, deposeth, That *he was credibly informed*, by some that were present there, that there were thirty women and young children, and seven men, flung into the river of Belturbert; and when some of them offered to swim for their lives, they were by the rebels, followed in cots, and knocked on the head with poles: the same day they hanged two women at Turbert; and *this deponent doth verily believe*, that Mulmore O'Rely, the then sheriff, had a hand in the commanding the murder of those said persons, *for that he saw him write two notes!* which he sent to Turbert by Brien O'Rely, upon whose coming these murders were committed: and those persons who were present also affirmed, that the bodies of *those thirty persons drowned did not appear upon the water till about six weeks after, past; as the said O'Rely came to the town, all the bodies came floating up to the very bridge;* those persons were all formerly stayed in the town by his protection, when the rest of their neighbors in the town went away."—*Idem*, 122.

* Trial of Maguire, 225.

who were thus made the instruments to plunder the property and sacrifice the lives of the ill-fated Irish; amazement at the Bœotian and superlative stupidity of those who committed themselves by perjuries open to the detection of the most superficial observer; indignation at the base imposture, or gross neglect, which has led so many subsequent writers, particularly Hume, to poison the pure streams of history, by recourse to such a pestilential source as this vile, this ribald story; and profound regret, if he have hitherto, as is most probable, been deluded into a belief in one of the most wicked, base, and unfounded romances ever palmed on a deceived world, in the shape of history?

Third class of depositions.

I now proceed to a cursory examination of the third class of depositions, which, though not resting on hearsay, or not absolutely impossible, are yet so utterly improbable, as to be unworthy of belief.

One of the witnesses swears, that she and her six children *had nothing to eat for three weeks, while they lay in a cave, but two old calf skins*, which they beat with stones, and ate them *hair and all!**

Another, seventy-five years old, swears that she was *stripped seven times in one day*, by the rebels, as she was proceeding to Dublin;† She gives no account how she replaced the clothes of which she was seven times plundered.

Another swears, that *all the nobles in the kingdom, that were Papists, had a hand in the plot.*‡ It is too obvious to require illustration, that even if this were a fact, it was impossible for any man to be so well assured of it, as to be able safely to take this sweeping oath. But, setting this consideration wholly aside, the perjury is proved by the simple fact, that the earl of Clanrickarde, and other Catholic noblemen, were not only wholly unconcerned in the insurrection, but absolutely fought against their countrymen.

Another swears, that two and twenty widows were *stripped stark naked*, and driven out into the woods, where they remained in that

* "Mary Barlow deposeth, That her husband being by the rebels hanged before her face, she and six children were stripped stark naked, and turned out a begging in the frost and snow, by means whereof they were almost starved, *having nothing to eat in three weeks, while they lay in a cave, but two old calf skins, which they beat with stones, and so eat them hair and all*, her children crying out unto her, rather to go out, and be killed by the rebels, than to starve there."—Temple, 90.

† "Margaret Fermeny, in the county of Fermanagh, deposeth, That the rebels bound her and her husband's hands behind them, to make them confess their money, and dragged them up and down in a rope, and cut his throat in her own sight with a skein, having first knocked him down and stripped him; and that being an aged woman, seventy-five years old, as she came up afterwards to Dublin, she was stripped by the Irish *seven times in one day!*"—Idem, 88.

‡ "Patrick O'Brien, of the parish of Galloom, in the county of Fermanagh, affirmeth, upon oath, That *all the nobles in the kingdom, that were Papists, had a hand in this plot*, as well as the lord Maeguire, Hugh Oge, and Mac-Mahown: that they expected aid out of Spain, by Owen Roe O'Neal; and that colonel Plunket, one of those that was to be an actor in the surprise of the castle of Dublin, told him that he knew of this plot eight years since; and that within these three years, he hath been more fully acquainted with it."—*Idem*, 61.

condition *from Tuesday till Saturday, and "the snow unmelted lay long on some of their skins!"**

It were endless to recapitulate the miserable tales with which Temple's history is filled: they are as nauseating by their absurdity, as shocking by their falsehood. A few more shall close the subject.

This writer very gravely informs us, that the day previous to the breaking out of the rebellion, the priests in many places "*gave the people a dismiss at mass*, with the liberty to go and take possession of the Englishmen's lands, and to strip, rob, and despoil them of all their goods and cattle;"†

That the Irish were determined, as soon as they had rooted out the English from Ireland, to "go to England, and not to leave the memorial of the English name under heaven!"‡

That the Irish killed English cows and sheep, merely because they were English;§

* "Magdalen Redman, late of the Dowris, in King's county, widow, being sworn and examined, deposeth and saith, that she this deponent, and divers other Protestants her neighbours, and amongst the rest twenty-two widows, after they were all robbed, were also stripped, stark naked, and then covering themselves in a house with straw, the rebels then and there lighted the straw with fire, and threw amongst them, on purpose to burn them; where they had been burned or smothered, but that some of the rebels more pitiful than the rest, commanded these cruel rebels to forbear, so as they escaped: yet the rebels kept and *drove them naked into the wild woods, from Tuesday until Saturday*, in frost and snow, so *as the snow unmelted, lay long upon some of their skins!!!* and some of their children died in their arms."—*Idem*, 81.

† "Whereas the priests did long before, in their public devotions at mass, pray for a blessing upon a great design they had then in hand: so now, as I have heard, they did in many places, *the very day before the breaking out of this rebellion, give the people a dismiss at mass, with free liberty to go out, and take possession of all their lands*, which they pretended were unjustly detained from them by the English; as also to strip, rob, and despoil them of all their goods and cattle."—*Idem*, 79.

Sir Charles Coote's Testimony concerning the generality of the Rebellion.

"Sir Phelim O'Neile and Roger Moore were the actors in the massacres; and by public directions of some in place, and of the titulary bishops, for sending *an exact account of what persons had been murdered* throughout all Ulster, a fourth part of the kingdom of Ireland, to the parish priests of every parish; and *they send in a particular account of it*, and the account was *one hundred and four thousand seven hundred in one province*, in the first three months of the rebellion!"—*Trial of lord Macguire*, 227.

‡ "The friars exhorted the people with tears, to spare none of the English; that the Irish were resolved to destroy them out of the kingdom; that they would devour, as their very word was, the seed of the English out of Ireland; and that when they had rid them there, *they would go over into England, and not leave the memorial of the English name under heaven!!!*"—Temple, 78.

§ "The Irish in many places *killed English cows and sheep, merely because they were English*; in some places *they cut off their legs, or took a piece out of their buttocks*, and so let them remain still alive."—*Idem*, 77.

"At the siege of Augher, they would not kill any English beast, and then eat it; but they cut collops out of them, being alive; *letting them roar till they had no more flesh upon their backs*, so that sometimes a beast would live two or three days together in that torment."—Borlace.

It is remarkable that this absurd story is copied by Carte, Leland, Warner, Hume, and other writers. War always produces scarcity—and especially a war carried on

That some of those that fled from Ireland, to seek refuge in England, were so tossed about by storms, that they could not reach any port in the latter island in *three months*;*

That the Irish intended to have penalties imposed on those who should speak English;†

That they would not leave an English man or woman alive in the kingdom; no not so much as an English beast, or any of the breed of them;‡

That in the beginning of the insurrection, the English had such confidence in the Irish, that they delivered their goods to them for safe keeping, and even dug up such of their best things as they had hidden under ground to deposit in their custody ! !§

That *many thousands* died in two days, in the town of Colerain; a place not containing, probably, three hundred people;‖

That children were compelled to be the executioners of their parents ! ! wives to help to hang their husbands ! ! and mothers to cast their children into the water ! ! !¶

That the destruction of the Christians, in any of the heathen per-

with such remorseless rage as the government generally displayed. To suppose that the Irish were such idiots, as to destroy their means of subsistence in this manner, to be revenged of the English, requires a degree of cullibility that would qualify its possessor for a seat among the wise men of Gotham.

* "That which heightened the calamity of the poor English was their flight in the winter, in such a dismal, stormy, tempestuous season, as in the memory of man had never been observed formerly to continue so long together. Yet the terror of the rebels incomparably prevailing beyond the rage of the sea, most of those who could provide themselves of shipping, though at never so excessive rates, deserted the city: and such was the violence of the winds, such continuing impetuous storms, as several barques were cast away. *Some in three months after their going from hence, could recover no port in England!*"—TEMPLE, 57.

† "Some of the Irish would not endure the very sound of that language, but would have penalties inflicted on them that spake English."—*Idem*, 77.

‡ "Richard Claybrook deposeth, That he heard Luke Toole say, that they would not leave an Englishman or English woman in the kingdom; *that they would not leave an English beast alive, or any of the breed of them.*"—TEMPLE, 96.

§ "So confident were the English of their good dealing at first, as many delivered their goods by retail unto them; gave them particular inventories of all they had; nay, digged up such of their best things as they had hidden under ground, to deposit in their custody."—*Idem*, 80.

‖ "James Redfern deposeth, That in the town of Colerain, since the rebellion began, there died of robbed and stripped people, that fled thither for succour, many hundreds, besides those of the town that anciently dwelt there: and that the mortality there was such and so great, as *many thousands died there in two days.*"—*Idem*, 81.

¶ "Children were enforced to carry their aged parents to the places designed for their slaughter; nay, some children compelled most unnaturally to be the executioners of their own parents; wives to help to hang their husbands; and mothers to cast their own children into the water."'—*Idem*, 91.

"Elizabeth, wife of Thomas Green, in the parish of Dumcres, in the county Armagh, sworn and examined, saith, That *she is verily persuaded that the rebels, at several times and places within the county of Armagh, drowned above four thousand Protestants, enforcing the sons and daughters of those very aged people*, who were not able to go themselves, to take them out of their beds and houses, and carry them to drowning, especially in the river of Toll, in the parish of Loghall, Jurat. November 10, 1643."—*Ibid.*

secutions, in any one kingdom, was not greater, *in many years*, than the destruction of the English by the Irish, in the space of *two months ! !* *

The task is endless to a writer to point out, and must be irksome to the reader, to see detailed, the atrocious lies of this legendary author, Temple. It is established, by the testimony of Carte, Leland, and Warner, that the rebellion did not extend beyond Ulster, except very partially, before the middle and end of December, that is, about two months; and yet this wretched scribbler states that more were destroyed in that space of time than in many years in the heathen persecutions !

That the Irish used to twist withes about the heads of the English till the blood sprang out of the crowns of their heads !†

That a murderer's wife found much fault with her husband's soldiers, for not bringing home the grease of a woman whom they had slain, for the purpose of making candles ! !‡

That the English were such dupes, that they lent their weapons to the Irish.§ This, truly, is the most ridiculous of all the stories. The Roman Catholics rise in rebellion to destroy the Protestants, who are such dupes and fools, that they give up their arms to "*secure them from the violence of such of the Irish as were in arms in the next county.*" I once more repeat, that it is difficult to tell whether we should most abhor the wickedness, or despise the folly, of the perjured miscreants who invented such miserable stories.

The following extract from Temple's history, with the depositions on which it is grounded, may serve to amuse the reader, and will throw additional light on the mode in which that romance was compiled:

"How grievous and insupportable must it needs be to a true Christian soul, to hear a base villain boast, that his hands were so weary with killing and knocking down Protestants into a bog, that *he could not lift his arms up to his head?*‖ or

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* "If we shall take a survey of the primitive times, and look into the sufferings of the first Christians that suffered under the tyranny and cruel persecution of those heathenish emperors, we shall not certainly find *any one kingdom*, though of a far larger continent, where there were more Christians suffered, or more unparalleled cruelties were acted *in many years* upon them, than were in Ireland, *within the space of two months*, after the breaking out of this rebellion."—*Idem*, 100.

† "Some they would take and writh withes about their heads, till the blood sprang out the crown of their heads."—Temple, 106.

‡ "Elizabeth Baskerville deposeth, That she heard the wife of Florence Fitz-Patrick find much fault with her husband's soldiers, because they did not bring along with them *the grease of Mrs. Nicholson, whom they had slain, for her to make candles withal ! !* Jurat. April 26, 1643."—*Idem*, 92.

§ "In several places, the Irish came, under divers pretences, and *borrowed such weapons and arms as the English had in their houses ! !* and no sooner got them into their hands, but they turned them out of their own doors: as they did at Glaslough, in the county of Monoghan, and by the same means they very gently and fairly got into their possession all the English arms in the county of Cavan ! ! ! The high sheriff there being an Irishman and a Papist, pretending that *he took their arms* to secure them against the violence of such of the Irish as he understood to be in arms in the next county ! ! !—*Idem*, 37.

‖ "Eleanor Fullerton, the relict of William Fullerton, late parson of Lougall, deposeth, That in lent, 1641, a young roguing cow-boy gave out and affirmed, in this deponent's hearing, that *his hands were so weary in killing and knocking down Protestants into a bog-pit, that he could hardly lift his arms to his head ! ! !* Jurat. Sept. 1642."—*Idem*, 96.

others to say, that they had killed so many English, that *the grease or fat which remained on their swords or skeins might have made an Irish candle?** or to consider that two young cow-boys should have it in their power to murder thirty-six Protestants?"—TEMPLE, 96.

A new instance of the mental obliquity exhibited by the Anglo-Hibernian writers here presents itself.

The spirit of lying and imposture which pervades those depositions, would naturally induce a sane mind to reject them wholly, as undeserving of any attention. But, by a most perverted process of reasoning, Leland ascribes these awful stories to the terrors excited by the horrible cruelties perpetrated by the Irish, which, he supposes, preyed on the imaginations of the English, and terrified them with the idea of lakes and rivers of blood, &c. &c.

"They who escaped the utmost fury of the rebels, languished in miseries horrible to be described. *Their imaginations were overpowered and disordered by the recollections of torture and butchery.* In their distraction," [let us say, rather, in the depraved and loathsome state of the public mind] "*every tale of horror was eagerly received, and every suggestion of frenzy and melancholy believed implicitly. Miraculous escapes from death, miraculous judgments on murderers, lakes and rivers of blood, marks of slaughter indelible by every human effort, visions of spirits chaunting hymns, ghosts rising from the rivers and shrieking out revenge;* these and such like fancies were received and propagated as incontestible."—LELAND, III. 147.

It is difficult to conceive of a stronger proof of the blindest prejudice than is here exhibited by Leland. Whoever has travelled through the depositions in the preceding pages, extracted from Temple, Borlace, and Rushworth, will at once perceive that the object with the perjurers who swore to them, was to render their tales as terrific and awful as they could, for the purpose of aggravating the abhorrence, and ensuring the ruin, of the oppressed and despoiled Irish. They were quite certain, that in the prevailing spirit of the times, no improbability or impossibility would be a bar to their currency. This is so plain and palpable that it requires only to skim the surface, to perceive it. Instead, therefore, of believing, with Leland, that a man who boldly comes forward, and swears to "lakes and rivers of blood," and "visions of spirits chaunting hymns," acts under the influence of a disordered imagination, in consequence of the horrors he has witnessed, we are warranted, nay constrained to believe, that the whole is the creation not of a disordered, but a corrupted and abominably-lying imagination. Indeed there is no man who will allow his understanding free operation, but will find it impossible to believe that those terror-inspiring stories could have ever proceeded from any other source than the prince of darkness, the father of lies.

I feel that confidence, which truth and a good cause naturally inspire, that the ground here assumed, is perfectly sound and unassailable. This branch of the subject might here be dismissed—but I cannot resist the temptation to add one further proof of the magnitude of the errors that have prevailed on the subject of the universality of the in-

* "Elizabeth Champion, late wife of Arthur Champion, in the county of Fermanaugh, esquire, saith, That she heard the rebels say, that they had killed so many Englishmen that *the grease or fat which remained on their swords and skeins might well serve to make an Irish candle! ! ! !* Jurat. April 14, 1642."—*Idem*, 97.

surrection. This proof rests on authority which the enemies of Ireland will not dare dispute.

Sir William Petty states, that before the insurrection there were 3,000 estated Roman Catholics in Ireland: and that, by judicial investigations in the court of claims, held in 1663, it appeared that there were not more than 400 of them* engaged in the glorious but unfortunate struggle for Irish liberty, which, even by the friends and partisans of the English revolution in 1688, the American in 1776, and the French in 1789, is so very erroneously and inconsistently styled a rebellion. And let it be observed, that, notwithstanding the very small proportion of the estated Catholics who were implicated in the insurrection, I have established the fact, that every effort had been used by the lords justices to goad the whole nation into resistance, for the purpose of confiscating the ten millions of acres of the soil, which they and their friends in England had already devoured in imagination.

* "The number of landed Papists, or freeholders, before the wars, was about 3,000, *whereof*, as appears by 800 judgments of the court of claims, which sat anno 1663, upon the innocence and effects of the Irish, *there were not above one-seventh part, or* 400, *guilty of the rebellion.*"—PETTY, 23.

CHAPTER XXXI.

Barbarous system of warfare pursued by the Irish government. Indiscriminate massacre of the Irish, men, women, and children. St. Leger, Monroe, Coote, Hamilton, Grenville, Ireton, and Cromwell, bathed in blood. Five days' butchery in Drogheda. Detestable hypocrisy of Cromwell. A medal and gold chain awarded to a noyadist. Extermination of man and beast, for twenty-eight miles!!!

"Thou hypocrite! First cast out the beam out of thine own eye, and then shalt thou see clearly to pull out the mote that is in thy brother's eye."

> "*I will a tale unfold, whose lightest word*
> *Will harrow up thy soul.*"—SHAKSPEARE.

I HOPE I have thoroughly satisfied the reader that the stories as well of the extreme cruelty practised by the Irish during the insurrection, as of the extraordinary numbers that were massacred, are utterly destitute of foundation. They were originally fabricated by one of the basest of the scribblers who have surreptitiously obtruded themselves into the honourable class of historians; but have been since bolstered up by historians of high celebrity.

I now proceed to display the infernal spirit by which the armies of the government were actuated throughout the whole insurrection, and to prove

I. That those armies, with the most brutal and Vandalic rage, burned or otherwise destroyed whole towns and villages for many miles square, without any discrimination between the innocent and the guilty;

II. That unarmed and defenceless husbandmen and towns-people, with their wives and children, were wantonly butchered without the least pretext of treasonable practices.

III. That priests, monks and friars, were peculiar objects of vengeance, and were hung up or shot down like wild beasts.

IV. That soldiers who had been overcome in battle—ceased to make resistance—thrown down their arms—and begged for quarter—were *slaughtered by hundreds, sometimes by thousands.*

V. That after surrender made, and *quarter promised*, the faith solemnly pledged to the Irish was perfidiously violated, and they *were barbarously butchered in cold blood.*

VI. In one word, that a more murderous system of warfare never prevailed, in any age or any country; that many of the government commanders were as merciless and bloodthirsty as Attila or Genghis Khan; and that some of the scenes of slaughter were so horrible, particularly at Cashel, Drogheda, and Wexford, that they never were and never could be exceeded, and have been rarely equalled.

In this investigation, I voluntarily subject myself to a disadvantage, of which the world has hitherto, I believe, never afforded any precedent.

I had provided a large body of authentic testimony, from Clanrickarde, Castlehaven, Walsh, Curry, and other writers on the Irish side of the question, of which I proposed to avail myself. But, being determined to remove all possible ground for cavil, I have laid the whole aside; and shall rely solely on two species of authorities, which must overwhelm all opposition, and settle this question eternally. The first is the despatches and documents of the sanguinary ruffians who perpetrated the murders, desolation and depredations; and the second, the statements of the Anglo-Hibernian historians.

I thus place myself in the predicament of a man who has a process at law, and has prepared ample proofs to establish his claims; but finding his antagonist's documents so strong and so powerful against their owner, as to render his own unnecessary, he throws them into the fire; and, as far as respects the contents of this chapter, one of the most important in this whole work, it would not be affected, if every page, written in defence of the Irish, were committed to the flames.

If, under such circumstances, I make out my case, to use the legal phraseology, it will afford the strongest proof that can be desired or conceived, of the intrinsic goodness of the cause, and of the extent of the delusion that has prevailed on the subject. I am well aware of the advantages I forego by this course; but I forego them cheerfully, having no more doubt of the result, than that the sun, now setting in the western horizon, will rise again, resplendent, in all his majesty and glory, to illumine a grateful and admiring world.

Those, however, who wish to peruse a list of the murders and massacres perpetrated on the Irish, as recorded by the writers of that nation, are referred to the appendix to Clarendon's "History of the Irish Rebellion," where there is a large collection to be found, with due detail of time and place.

Resting wholly on plain matter of fact, I am unfortunately debarred of the rhetorical flourishes of "*lakes and rivers of blood*," "*spirits chaunting hymns*," "*ghosts rising from the rivers, and shrieking out revenge*," and all those other "*tales of horror*," and "*suggestions of frenzy*," which decorate the pages of the long train of historians, from Temple to Leland, who have exhausted the powers of eloquence in embellishing the legends of "*the execrable Irish rebellion.*" But I feel full confidence, that a

"Round, unvarnished tale"

will "*put them down*," in the estimation of every upright and candid reader.

It is difficult to conceive the intensity of the satanical rage with which the government soldiers were actuated against the Irish. The Spanish bloodhounds, let loose by the tiger, Pizarro, on the defenceless Peruvians, did not more eagerly devour their quivering limbs, than those ferocious barbarians fleshed their swords in the victims of their horrible passions—young and old—male and female. For ten, twenty, or thirty miles, in the open country, nothing in human shape escaped them. Neither man, woman, nor child, "though but a span long," escaped their infernal fury. When sated with slaughter, they took prisoners, and brought them to camp, it was with difficulty they could be prevailed on to refrain from butchering them there. To this

temper Borlace bears testimony, although somewhat obscurely, in the following paragraph.

"The soldiers were then grown so implacable to the Irish, as they would scarce endure any ordinary Papist, much less suffer a rebel to be admitted amongst them." —Borlace, 70.

The case of a priest of the name of White, chaplain of the countess of Westmeath, strongly illustrates this insatiable rage for blood and slaughter. The marquess of Ormonde, with all his power, as commander in chief of the army, was unable to save the life of this unfortunate clergyman, against whom no crime was alleged but his clerical character. He had surrendered himself to the marquess, who had given him a protection. But having ventured from the countess's house, he was seized, and though Ormonde strove to save him, even only to take him to Dublin for trial, it was in vain. A mutiny took place, and the marquess was obliged to abandon him, to sate the rage of an infuriated soldiery, by whom he was immolated on the altar of fanaticism and national rancour.*

The Irish writers accuse sir Charles Coote of issuing orders to the butchering parties he sent out in every direction, "*not to spare the least child though but a span long.*"—[Ireland's case briefly stated, 43.] This charge is corroborated by the following statement of the Rev. Dr. Nelson.

"I have heard a relation of my own, who was captain in that service, relate, that no manner of compassion or discrimination was shewed either to age or sex; but that the little children were promiscuously sufferers with the guilty; and that if any who had some grains of compassion reprehended the soldiers for this unchristian inhumanity, they would scoffingly reply, *Why? Nits will be lice*, and so would dispatch them."—Nelson, II. Introduction, vii.

This was an attempt to carry completely into operation the horrible plan of extirpating the whole race; the deliberate adoption of which I have proved, in a preceding part of this work, and which was for some time acted upon by the ruling powers. For the accomplishment of this grand object, the slaughter of the "*lice*," that is, the full-grown men and women, was not deemed sufficient: the destruction of the "*nits*," or children, was necessary to complete the magnificent scheme of a new plantation of the kingdom!

Chapter XXVII. contains the sanguinary orders of the lords justices to murder "all the males able to bear arms in places where the rebels were harboured." "In the execution of these orders, the justices declare, that the soldiers *slew all persons promiscuously, not sparing the women, and sometimes not the children.*"—Leland, III. 198.

To this horrible fact, Warner bears testimony, in nearly the same words.†

* "He did endeavour to have saved him, at least, till he might be brought to Dublin. But the whole army (which was possessed by the parliament, and by the lords justices, with a very bitter spirit against the Roman Catholic clergy) mutinied upon it, and in the end, compelled the marquess to leave him to that justice, which they were authorised to execute, and *so the man was by them put to death.*"—Clarendon, 218.

† "Such indeed was the tenor of all their orders; though they knew—for they own it in their letters—that the soldiers in executing these orders, murdered all per-

But was not this the consequence the miscreants calculated on producing? Could they have resonably expected any other? When the devouring sword is invited from its scabbard by public authority, for the indiscriminate slaughter of "*men able to bear arms*," will not the expiring and bed-rid wretch be despatched to the other world, as a man "able to bear arms?" Will his cassock protect the priest? her bonnet or shawl the pity-inspiring female? or its cradle and tender cries the helpless infant? No: he must be a mere novice in human nature and human affairs, who entertains a doubt on the subject.

The annexed Journal* of the desolating career of the duke of Or-

sons that came in their way promiscuously, not sparing the women, and sometimes not the children."—WARNER, 194.

"Monroe *put sixty men*, EIGHTEEN WOMEN, *and two priests to death*, at Newry." —LELAND, III. 203.

"The lord president of Munster, St. Leger, is so cruel and merciless, that *he causes honest men and women to be most execrably executed*, and amongst the rest, *caused a woman great with child to be ripped up*, and three babes to be taken out of her womb, and thrust every of the babes with weapons through their little bodies. This act of the lord president hath set many in a sort of desperation." Lord of Upper Ossory's letter to the earl of Ormonde.—CARTE, III. 51.

"Sir Theophilus Jones had taken a castle, *put some men to the sword, and thirteen priests*, having with them two thousand pounds."—WHITELOCK, 527.

"*Their friars and priests were knocked on the head promiscuously with the others, who were in arms.*"—Idem, 412.

"Letters from Ireland, that the lord Inchiquin relieved some garrisons of the English in Tipperary, entered Carricke, and fortified a pass to make good his retreat, blew open the gate of Cullen by a petard, entered the town, took two castles by assault, and *put three hundred soldiers to the sword, and some women*, notwithstanding order to the contrary."—*Idem*, 296.

"Sir William Parsons hath by late letters advised the governor to the burning of Corn, and *to put man, woman, and child to the sword;* and *sir Adam Loftus hath written in the same strain.*"—ORMONDE, II. 350.

"The army, I am sure, was not eight thousand effective men; and of them it is certain there were not above six hundred killed; *and the most of them that were killed were butchered after they had laid down their arms, and had been almost an hour prisoners, and divers of them murdered after they were brought within the works of Dublin.*"—Idem, II. 396.

The bishop of Clogher "having detached colonel Swiney with a strong party, to make an attempt upon Castledoe, in the county Donegal, he ventured, contrary to the advice of the most experienced officers, with 3,000 men, to fight sir Charles Coote, with near double his number, at Letterkenny. Major-general O'Cahan, many of his principle officers, and fifteen hundred soldiers, were killed on the spot; *and the colonels Henry Roe, and Phelim M'Tuol O'Neile, Hugh Macguire, Hugh Mac-Mahon, and others, slain after quarter given.*"—CARTE, II. 113.

"He [Monroe] at lord Conway's instance, who attended him in the expedition, advanced with 3,600 foot, three troops of horse, and four field pieces; but, after taking a view of the place, on July 15, [1642,] seeing some parties of the enemy, who had no powder to fire, making a prey of cattle, and *killing* 700 *country people, men, women, and children*, who were driving away their cattle, he returned the next day to Newry."—*Idem*, I. 311.

"Sir Charles Coote, immediately after *his inhuman executions and promiscuous murders of people in Wicklow*, was made governor of Dublin."—*Idem*, 259.

* "Sunday morning, April 3, 1643. AFTER PRAYERS, the army marched towards the Naas, *burning several villages of the rebels in their march.*

"April 4. The army marched to Kilcullin, *burning in their march the villages in their way, which belonged to the rebels.*

"April 5. The army marched from thence to Athy, and in their way *burnt the castle and town of Kiltruth.*

monde, who is praised by Carte, Warner and Leland for his moderation, in an expedition into the county of Meath, where he burned every thing for about twenty miles square, will enable the reader to

"April 11. The troops in their return back, marched through O'Dunn's country, and *burnt all the country until they came to Castle Cuff.*

"Sir Patrick Wymes *burnt all the villages belonging to Dempsie*, and returned back that night with the troop to the fort of Mary-borough.

"April 13. The army marched through to Athy, and *burnt a great part of the territory of Clanmaleero*, a country belonging to the lord Dempsie in rebellion."—Rushworth, V. 507, 8, 9, 10.

"If in the execution of martial law, he [St. Leger] *spared neither sex nor age*, his countrymen frequently expressed *a generous indignation and horror at his barbarity.*"—Leland, III. 178.

"The same part which lord Inchiquin was playing in Munster, by *burning, plundering, and destroying the country*, even to the gates of Limerick, was acted by sir C. Coote in Connaught, with a design, as it was supposed, to relieve Bonratty; but he contented himself with *wasting and burning the estates of lord Clanrickarde*, about this time made a marquess, for his eminent sufferings and fidelity, to whose care and activity in the first year of this rebellion he confessed that he owed his own, and his garrison's preservation."—Warner, 371.

"The townsmen of Padstow took an Irish vessel in their harbour, and *put to the sword thirty Irish*, taken by them in that vessel at Padstow."—Whitelock, 202.

"The next morning the governor with a party of horse, went out and burnt the country, two miles about."—Bernard, 88.

"The mother of colonel Fitz-Patrick was found guilty of the murder of the English, with this aggravation, that she said she would make candles of their fat. *She was condemned to be burnt, and the sentence was executed accordingly.*"—Ludlow, II. 443.

"The party sent out by colonel Jones into the county of Wicklow, are returned with a *prize of* 7 *or* 8000 *cows, and have burnt down greatest part of the town of Wicklow.* In this expedition they met with no enemy."—Rushworth, VII. 805.

"Lord Lisle, with the men under his command, marched towards the counties of Westmeath, and Cavan, where they arrived about the middle of September, *having destroyed all where they had passed, without striking a stroke, the rebels being (according to their usual custom) retired to places of strength.*"—Borlace, 102.

"After a little conflict with the rebels, some of them were killed, and this party *burned great store of their corn, preyed the country all along, brought away* 1000 *of their cows*, and returned without loss."—Rushworth, VII. 1385.

"A party of horse was sent out, killed forty of them, and so pursued them, till *the rest were employed in burning the country after them, and so continued that day and the next.*"—Bernard, 87.

"The three and twentieth day of March, *they marched with fire and smoke towards Atherdee.*"—Ibid.

"Lord Inchiquin *was wasting the province*, and had laid the greatest part of it under contribution."—Carte, II. 2.

"Those forces joining Monroe, he made up the strongest army that had been seen in Ireland during the war; it amounting to at least 10,000 foot and 1,000 horse. It was unfit however for any great undertaking, not being furnished with above three weeks victual. Monroe advanced with it into the county of Cavan, from whence he sent parties into Westmeath and Longford, which *burnt the country, and put to the sword all the country people that they met.*"—Idem, I. 495.

"All *Condon's country was burned by the lord president's forces*, which were but 1500 foot and 300 horse, and the castle of Curbeagh was taken. From thence he marched into the county of Waterford, and *burned the country from Lismore to Dungarvan.*"—Smith, II. 133.

"The rebels were routed, and *the whole adjacent country wasted by fire and sword. Coote fulfilled the commands of the state, to pillage, burn, and destroy, with an unfeeling rigour;* and in the execution of martial law, consulted his resentments more than the necessity of the public service."—Leland, III. 182.

form some idea of the horrible havoc perpetrated by the Grenvilles, St. Legers, Cootes and Iretons, whom these writers acknowledge to have been monsters of ferocity.

Henry Tichbourne, governor of Drogheda, signalized for his sanguinary career, merited to be ranked with the destroyers, Ireton and Cromwell. In a familiar letter to his wife, as a matter of course, he communicates the information, that finding he could not induce the Irish to hazard the fortune of a battle, he had concluded "they were in another sort to be dealt with;" and accordingly the wretch sallied out "*every other morning, for several weeks;*" slaughtering all he met, without mercy; so that he left "*neither man nor beast alive,*" for sixteen miles from the garrison.* And one of his coadjutors in this business of destruction, perpetrated the same havoc, for twelve miles on the other side: thus filling the country with carnage for twenty-eight miles, and "not leaving man nor beast alive!" In another part of this letter, he informs her of one of his murderous expeditions, in which, he says, "*he took no account of the slain; but there was little mercy shown in those times.*" [TICHBOURNE, 186.] What a hideous picture of incarnate demoniac rage do these horrible facts present to the mind's eye!

In consequence of the destruction and devastation thus perpetrated by Tichbourne, and the desolation that ensued, the dogs which had fed upon the carcasses, became so fierce that they attacked and sometimes destroyed the travellers taken by surprise.†

* "Finding that they did only put themselves in arms, and would no more now than formerly forsake their strength, to draw into equality of ground, notwithstanding their advantage of numbers, I concluded they were in another sort to be dealt with; and from thenceforth, for the most part, I fell every other morning into their quarters, and continued those visitations for several weeks together, *with the slaughter of very many of them*, especially the new plantation in the county of Monaghan, and at the taking in of Harry O'Neale's house, in the Fews; insomuch that by this course, and the like acted often by the garrison at Drogheda, *there was neither man nor beast to be found in sixteen miles!* between the two towns of Drogheda and Dundalk, nor on the other side of Dundalk, in the county of Monaghan, nearer than Carrick Mac-Cross, a strong pile, *twelve miles distant!*"—TICHBOURNE, 188.

† "By the death of so many men about us, having their houses, and all their provision either burnt or drawn hither, the dogs only surviving, *are found very usually* (like that judgment of Jezebel for the murder of Naboth) *feeding upon their masters; which taste of man's flesh, made it very dangerous for the passengers in the roads who have been often set upon by those mastives, till we were as careful to kill them also.*"—BERNARD, 105.

"Of the slain, there was upon the place reckoned 5470, besides those after gleaned up, which were very many of the enemies foot. There could not escape above 500, being as they were environ'd. Among those slain were 400 of Collogh Kittage's men. *There was also put to the sword, without mercy, all formerly of our party now found amongst the rebels, and all English, though never of our party.*"—RUSHWORTH, VII. 780.

"Monroe after a short stay at Carrickfergus, drew out his Scots forces, and marched into the county of Antrim, *where he made a prey of about* 5000 *cows, burnt Glenarme, a town belonging to the earl of Antrim*, and wasted that nobleman's lands."—CARTE, I. 310.

"In their return they rendered the same service to sir John Giffard, in Castle-Jordan, and *burning the country all the way as they marched*, took by force the town of Trim."—*Idem*, 318.

"With one thousand foot and two hundred horse they marched that way-ward,

Some of the officers of the army of the government prided themselves on *neither giving nor taking quarter*, and murdered all the wretches they met with. Every Irishman with them was a rebel, and every rebel destined for slaughter. A barbarian of the name of Sandford, after committing horrible butcheries in Ireland, was withdrawn to England, where he signalized himself by the same havoc. He sent the following summons to Hawarden Castle, of which he undertook the siege:

"I presume you very well know, or have heard of my condition and disposition, and that *I neither give nor take quarter.* I am now with my firelocks, (who never yet neglected opportunity to correct rebels,) *ready to use you as I have done the Irish; but loth I am to spill my countrymen's blood.*

"THO. SANDFORD."*

A murderous ruffian, commander of one of the vessels belonging to the English parliament, took a vessel with a number of Irish soldiers on board, who were not only not insurgents, but had served under the duke of Ormonde against them, and, after cessation of hostilities in Ireland, were going to England, to be incorporated in the royal army.†

first finished what they had left undone at Slane in burning the town and some villages in the way."—Bernard, 87.

"A number of ecclesiastics was found within the walls, and Cromwell, as if immediately commissioned to execute divine vengeance on these ministers of idolatry, *ordered his soldiers to plunge their weapons into the helpless wretches.*"—Leland, IV. 46.

"These forces were composed of detachments out of the old Scots and English regiments; and having with their artillery, which was sent by sea, battered down one or two houses in the place, O'Conner surrendered the castle. From thence they advanced in different parties into the counties of Mayo and Gallway, *burning and destroying all before them*, taking great preys of cattle, of which they carried off 3 or 4000, but were forced to leave behind them many more thousands which they could not drive away."—Carte, I. 535.

"Partly necessities, and partly desires to be in action, induced him abroad into the county of Kerry, where he forced compositions from such as were able; the refractories were destroyed; in which he continued and in the county of Limerick, until he could find no subsistence for the soldier, but *saw all he could command consumed:* the country so generally impoverished by his forces and the rebels, that *it is very probable, before the spring, thousands will perish of famine.*"—Rushworth, VII. 976.

"Lord Montgomery, and colonel Chichester, with two thousand foot, and two hundred and fifty horse, made another irruption into Armagh, and being joined by lord Moore from Dundalk, whose garrison was almost starving, *they wasted all that country, and ranging over Monaghan and Cavan without seeing an enemy for three weeks together, they took considerable preys of cattle.*"—Warner, 271.

†"The marquis of Ormonde had sent captain Anthony Willoughby with 150 men, which had formerly served in the fort of Gallway, from thence to Bristol. The ship which carried them was taken by Swanley, who was so inhuman as *to throw seventy of the soldiers over-board*, under the pretence that they were Irish, though they had faithfully served his majesty against the rebels during all the time of the war."—Carte, I. 481.

"The earl of Warwick, and the officers under him at sea, had, as often as he met with any Irish frigates, or such freebooters as sailed under their commission, taken all the seamen who became prisoners to them of that nation, and *bound them back to back, and thrown them overboard into the sea*, without distinction of their condition, if they were Irish. In this cruel manner very many poor men perished

* Rushworth, V. 300.

In pursuance of the ordinance for giving no quarter to Irish prisoners, he tied seventy of them back to back, and threw them into the sea. For this cruel act and other congenial exploits, *the parliament of England ordered him to be presented with a medal and a gold chain, of the value of two hundred pounds.**

daily; of which, when it was generally known, the king said nothing, because none of those persons were in his majesty's service; and how barbarous soever the proceedings were, his majesty could not complain of it, without undergoing the reproach of being concerned on the behalf, and in favour of the rebels of Ireland."—CLARENDON, II. 478.

* "June 1644. Captain Swanley was called into the house of commons, and had thanks given him for his good service, and a chain of gold of two hundred pounds value; and captain Smith his vice-admiral had another chain of one hundred pounds value."—*Journals, III.* 517.

"As soon as Monroe had received an account of the cessation being concluded, *he fell upon the Irish peasants, who were getting in their harvest in great security, as no longer thinking of an enemy, and made a slaughter among them.*"—Idem, 485.

"After a little dispute, the Parliament's ship boarded the Dunkirker, and *put all the Irish in her to the sword*, and took the rest prisoners."—*Idem*, 204.

"The garrison was sent away under convoy: but, by the disorderliness of an unpaid soldiery, they were *almost all of them plundered and murdered.*"—WARNER, 271.

"*They hanged above fifty of the Irish*, according to the lord general his orders."—WHITELOCK.

"Captain Barrow took O'Ronie's island in Ireland, and *put eighty there to the sword.*"—WHITELOCK.

Douglas, "marched as through an enemy's country, his men plundering *and even murdering with impunity.*"—LELAND, IV. 307.

Lord Broghill, "on the 21st of August, 1642, took the castle of Ardmore, in the county of Waterford, being yielded on discretion. The women and children were spared; *but the men, a hundred and forty in number, were put to the sword!*"—RUSHWORTH, V. 515.

"Sir Frederick Hamilton entered the town of Sligo, and burnt it, freed many Protestants, and *slew in the streets three hundred Irish!*"—*Ibid.*

"Colonel Sydenham, major Sydenham, and other forces hastened thither, put them to flight, and pursued them almost to Wareham; slew twelve, and took sixty horses and a hundred and sixty prisoners, whereof *eight being natural Irish, seven of them were immediately hanged*, and the other spared, for doing execution on his fellows."—*Idem*, 686.

"*Some Walloons, whom the soldiers took for Irishmen, were put to the sword!*"—WHITELOCK.

"Inchiquin commits great destruction, as far as he dares venture, about Dublin and Tredah, by burning and driving away of their cattle, *hangs all he can meet with, going to the lord lieutenant.*"—*Idem.*

"They defeated and pursued them with great slaughter, *granting quarter to none but officers. About two thousand fell*, by the weapons of an enemy transported by zeal and resentment; *about five hundred plunged into lake Erne;* and *but one of all the multitude escaped.*"—LELAND, IV. 256.

"*As no quarter was given*, except to colonel Richard Butler, son to the lord Ikerin (who was the last man of the Irish army that retired) and two or three other officers, *few prisoners were made.*"—SMITH, II. 142.

"The left, commanded by Mac-Allisdrum, consisting of brave northern Irish, stood their ground; but were at last forced to yield to the conquerors; their commander giving up his sword to colonel Purden. But *lord Inchiquin having, before the battle, ordered that no quarter should be given to the enemy*, the brave Mac-Allisdrum and most of his men *were put to the sword in cold blood!!!* an action

I cannot allow myself to doubt, for a moment, that I have fully established my positions on the most impregnable ground. Limiting myself, as I have done, to the accounts of the perpetrators of the murders, and their historians, it is matter of astonishment, that I have been able to adduce such strong evidence. Were I to avail myself of the writings of the sufferers and their historians, I could have multiplied the proofs tenfold. But it is a peculiar feature in this history, as I have already stated, that the criminals narrate their crimes, with as little ceremony as if they claimed glory for them.

The pretences on which the Irish were slaughtered, were in many instances of the most frivolous and contemptible character: but it is a trite observation, that those who are wicked enough to perpetrate crimes, are never without a plea to justify, or at least to palliate, their guilt. Sir S. Harcourt besieged a castle in the vicinity of Dublin, where, venturing too near, he was shot dead. The barbarian besiegers, when they took the castle, to revenge the death of their general, slaughtered every man, woman, and child it contained.* Warner relates this atrocious act, not merely without censure, but with "apparent" justification, or at least extenuation. He says, "the soldiers were so enraged at *the cowardly manner* in which he was killed, that they put all within to the sword." This was probably the pretext the murderers assigned at the time, and which the doctor copied without reflection. It would appear that the reverened historian supposed there was some ceremony necessary to be observed by the garrison of a besieged castle, before they shot at their enemies. Perhaps he thought they ought to have sent a herald to Harcourt, to warn him to

which, in a great measure tarnished the glory of so complete a victory. *There were* 4000 *Irish killed on the spot ! ! ! "---Idem*, 162.

"Lieutenant colonel Sanderson, at the same time, and Sir Francis Hamilton coming in the nick of time with his troop, *they had all execution upon them for five miles.*"---Rushworth, VI. 239.

"Colonel Mathews, at Dromore, getting together a body of two hundred men, attacked five hundred of the rebels; and having killed three hundred of them without the loss of a man, the next day he pursued the rest, *who had hid themselves about in the bushes, and, starting them like hares out of their formes, killed a hundred and fifty more ! ! ! ! "*---Warner, 113.

"The lord Inchiquin took Pilborne castle by storm, and *put all in it but eight to the sword.*"---Whitelock.

"His men had the pursuit of the rebels seven miles, three several ways, as long as the day lasted, and *in the flight and pursuit, were slain of the rebels about four thousand ! ! ! ! "---Idem.*

"*The rebels were pursued without mercy;* and in their flight, spread a general consternation through all their adherents."---Leland, III. 201.

"In the battle, and *a bloody pursuit of three miles*, 7,000 of the Irish were slain ! ! ! *The unrelenting fury of the victors appeared in the number of their prisoners, which amounted only to* 450 ! ! ! "---Leland, IV. 342.

* "Sir S. Harcourt was sent out with a small party, in order to dislodge them. But being obliged to send back for some battering cannon, whilst he waited for these, and was giving his soldiers some orders, one of the rebels perceiving him, discharged his piece at him, and gave him a mortal wound; of which he died the next day, to the prejudice of the service and the great grief of the English. His men, who loved him greatly, were so enraged, *at the cowardly manner in which he was killed*, that when the cannon came up, and had made a breach sufficient for them to take the castle by storm, *they put all within to the sword, without sparing man, woman, or child ! ! ! ! ! "*---Warner, 183.

beware of the bullet. This is sheer nonsense. Who would dare to censure for cowardice the man who shot General Wolf or General Montgomery at Quebec; General Mercer, at Princeton; General Ross, at Baltimore; or General Packenham, at New Orleans? In a word, lives there a man absurd enough to aver, that there is any cowardice in sending a whizzing bullet to salute a besieging enemy, who ventures within reach of a shot?

That "straws show which way the wind blows," is an adage of more sound sense than elegance. An occurrence which Ludlow narrates, with great naïveté, affords a strong corroboration of the various proofs already adduced of the murderous spirit which actuated the forces of the Irish government. It evinces, that no raging blood-hounds were ever more ravenous after their prey, than they were for the slaughter of the devoted Irish.

A few wretched fugitives had escaped from their enemies, taken refuge in a cave, and were discovered by Ludlow's army, on his march. Thirsting for their lives, he spent nearly two days in the effort to smother them by smoke; but his endeavours failed of success. At length, some of his soldiers forced their way into the cave, where they found about twenty defenceless wretches, whose forlorn state would have almost excited the pity of a band of ruthless Creeks or Cherokees: but humanity or pity for the Irish formed no part of the system then pursued. Fifteen of them were butchered in the cave; and four or five brought out alive, who probably shared a similar fate, although the writer is silent as to the issue.*

This single fact, narrated by the master butcher himself, would, if it stood alone, be sufficient to establish the infernal spirit with which

* "From hence I went to visit the garrison of Dundalk, and being upon my return, I found a party of the enemy retired within a hollow rock, which was discovered by one of ours, who saw five or six of them standing before a narrow passage at the mouth of the cave. The rock was so thick, that we thought it impossible to dig it down upon them, and therefore resolved to try to *reduce them by smoke*. After some of our men had spent most part of the day in endeavouring *to smother those within, by fire placed at the mouth of the cave*, they withdrew the fire; and the next morning, supposing the Irish to be made incapable of resistance by the smoke, some of them with a candle before them crawled into the rock. One of the enemy, who lay in the middle of the entrance, fired his pistol, and shot the first of our men in the head, by whose loss we found that the smoke had not taken the designed effect. But seeing no other way to reduce them, I caused the trial to be repeated, and upon examination found that though a great smoke went into the cavity of the rock, yet it came out again at other crevices; upon which *I ordered those places to be closely stopped, and another smother made*. About an hour and a half after this, one of them was heard to groan very strongly, and afterwards more weakly, whereby we presumed that the work was done; yet the fire was continued till about midnight, and then taken away, that the place might be cool enough for ours to enter the next morning. At which time some went in armed with back, breast, and head-piece, to prevent such another accident as fell out at their first attempt; but they had not gone above six yards before they found the man that had been heard to groan, who was the same that had killed one of our men with his pistol, and who, resolving not to quit his post, had been, upon stopping the holes of the rock, choaked by the smoke. Our soldiers put a rope about his neck and drew him out. The passage being cleared, they entered, and *having put about fifteen to the sword*, brought four or five out alive, with the priest's robes, a crucifix, chalice, and other furniture of that kind. Those within preserved themselves by laying their heads close to a water that ran through the rock."—Ludlow, I. 422.

the armies of the government were actuated. It is easy to conceive that those whose thirst for blood induced them to arrest a considerable army on its march, and spend two days, in the hope of glutting their rage with a few human victims who had sought security in a cavern, would flesh their swords indiscriminately in all they met in human form, male or female, old or young, bearing the hated Irish name. This very rational conclusion is fully established by the mass of revolting facts contained in the present chapter.

A circumstance which occurred in consequence of the murderous ordinance of the long parliament* to give no quarter to Irish prisoners, evinces such transcendant injustice and folly, that it deserves to be put on undying record, to display the temper of the times, and to prove that the slaughter of the Irish was regarded as perfectly innocent.

The army of the parliament had taken a number of prisoners, among whom were thirteen Irishmen, who, in pursuance of the above ordinance, were immediately executed. Prince Rupert, bold, brave, and determined, took measures to ascertain the fact; and, as soon as it was established, singled out an equal number of prisoners belonging to the enemy, and, as right and justice required, in order to arrest the progress of this murderous system, retaliated on them the cruelty of which their officers had set such a terrible example.

It is incredible what an outcry this laudable, because necessary, measure of severity excited. Had the prince hanged these men in retaliation for the slaughter of an equal number of cats or dogs, his cruelty and injustice could not have been more severely execrated than it was by the parliament, whose army was with difficulty prevented from immediately butchering their prisoners; as if they had not been themselves the original aggressors.† The carnage of the Irish, being sanctioned by the ordinance of parliament, they regarded as lawful and innocent; but the retaliatory execution of their associates was, forsooth, abominable murder.

Prince Rupert was made of too "stern stuff," to be terified out of his manly purpose. He announced his determination to pursue the

* Supra, 299.

† "To the worthy and honoured William Lenthal, Esqr. speaker of the honourable house of commons.

"Right honourable,

"According to the ordinance of parliament, in that behalf, we caused some Irish rebels, to the number of thirteen, to be put to death; and since prince Rupert's coming into these parts, it happened that some of our men were taken by some of his commanders; and, as is verified to us, after quarter given them, were, by the prince's command, executed; which we hearing of, sent a trumpet to know the truth of the report, and the cause why they so suffered, by whom he returned us the letter inclosed for answer. The death of these soldiers being known in our several garrisons, hath so incensed the soldiery, that they vow revenge, and we found it difficult to prevent *their violent falling upon the prisoners in our custody;* whereof we thought good to certify this honourable house, and humbly pray your advice *how we shall prevent the acting the like cruelty upon our soldiers for the future.*

JOHN MACKWORTH, ROBERT OLIVE,
ANDREW LLOYD, THOMAS HART,
SAMUEL MOORE, LEIGH OWEN,
ROBERT CHARLTON,

"Salop, March 21, 1644."—*Parliamentary History, XIII.* 444.

system of *lex talionis*, and to murder man for man.* There do not appear any data whereon to ground an opinion of the ultimate issue of this sanguinary rivalry: but it is more than probable, that the energy and spirit of the prince stayed the progress of the devouring sword, and rescued many unfortunate Irishmen from the butchery ordained for them by act of parliament.

Murderous as, in general, were the commanders of the forces against the Irish, there were some of them who far exceeded their colleagues in the dreadful trade of slaughter. Of these, St. Leger, Monroe, Inchiquin, sir Richard Grenville, sir Charles Coote, Cromwell, Ireton, and Tichbourne, stand proudly pre-eminent, as prime ministers of Satan, in the horrid work of extermination.

Grenville was naturally ferocious and bloodthirsty: but his native ferocity was whetted by avarice and rapacity, which goaded him to deeds of horror, of the blackest die. He hung old and bed-ridden men, for not discovering wealth which they did not possess; and, with equal barbarity, hung women, frequently of quality, because they had not as much money as he had expected.† This barbarian, having been ordered to England, pursued there the same system of rapine and murder.‡

Of all the cases of murderous cruelty, that marked the career of the government forces in Ireland, the most atrocious occurred at the surrender of Drogheda. The history of the Huns, Vandals, Goths, and Ostrogoths, or of those scourges of the human race, the successors of Mahomet, may be searched in vain for any thing more shocking. In

* *Extracts from a letter of Prince Rupert to the Earl of Essex.*

"Those soldiers of mine, that were barbarously murdered in cold blood, after quarter given them at Shrewsbury, were such as, during the time they were in Ireland, served his majesty stoutly, constantly, and faithfully, against the rebels of that kingdom; and, after the cessation there, were, by his majesty's command, transported to serve him in this, where they honestly performed the duty of soldiers."—*Idem*, 455.

"If the contrary course shall be held, and any prisoners under my command shall be taken, executed and murdered in cold blood, under what senseless and unjust pretence whatsoever; for every officer and soldier, so causelessly and barbarously murdered, I will cause so many of the prisoners remaining in my power to be put to death in the same manner: and I do not in the least doubt but the blood of those miserable men, who shall so suffer by my order, as well as those who shall be so butchered by that ordinance your lordship mentions, shall be required at their hands, who by their cruel examples, impose a necessity upon other men to observe the rules they lay down."—*Idem*, 457.

† "Sir Richard Grenville, upon the fame of being a good officer, was sent over with a very good troop of horse; was major of the earl of Leicester's own regiment of horse, and was very much esteemed by him, and the more by the Parliament, for *the signal acts of cruelty he did every day commit upon the Irish!!!!* which were of so many kinds upon both sexes, young and old, *hanging old men who were bedrid*, because they would not discover where their money was, that he believed they had; *and old women*, some of quality, after he had plundered them, and found less than he expected; that they can hardly be believed, though notoriously known to be true!!!"—Clarendon, II. 414.

‡ "He made one of them hang all the rest; which, to save his own life, he was contented to do; *so strong his appetite was to those executions he had been accustomed to in Ireland, without any kind of commission, or pretence of authority.*"—Idem, 415.

fact it is not in the power of man, were he possessed by all the furies of the heathen mythology, to exceed these frightful scenes. They may be equalled,—but can never be surpassed.

Cromwell had besieged this town for some time; and was finally admitted on promise of quarter. The garrison consisted of the flower of the Irish army, and might have beaten him back, had they not been seduced by his solemn promise of mercy, which was observed till the whole had laid down their arms. Then the merciless wretch commanded his soldiers to begin a slaughter of the entire garrison, *which slaughter continued for five days!!* with every circumstance of brutal and sanguinary violence that the most cruel savages could conceive or perpetrate.*

> "No age was spar'd; no sex, nay no degree;
> Not infants in the porch of life were free.
> The sick, the old, who could but hope a day
> Longer by Nature's bounty, not let stay:
> Virgins and widows, matrons, pregnant wives,
> All died. 'Twas crime enough that they had lives."—Ben Jonson.

The canting and hypocritical impostor, in his despatches to the Parliament, had the shameless impudence to ascribe "*the glory*" of this bloody deed to God, "to whom indeed the praise of *this mercy* belongs!!"† And such was the delusion of those times, that, in all the

* "The assault was given, and his [Cromwell's] men twice repulsed; but in the third attack, colonel Wall being unhappily killed at the head of his regiment, his men were so dismayed thereby, as to listen, before they had any need, to the enemy *offering them quarter!!* admitting them upon those terms, and thereby betraying themselves and their fellow-soldiers to the slaughter!! *All the officers and soldiers of Cromwell's army promised quarter to such as would lay down their arms*, and performed it as long as any place held out; which encouraged others to yield. But when they had once all in their power, and feared no hurt that could be done them, Cromwell, being told by Jones, that he had now all the flower of the Irish army in his hands, *gave orders that no quarter should be given!!!* so that his soldiers were forced, *many of them against their will, to kill their prisoners!!!* The brave governor, sir A. Aston, Sir Edm. Verney, the colonels Warren, Fleming, and Byrne, were *killed in cold blood!!!* and indeed all the officers, except some few of least consideration, that escaped by miracle. The marquis of Ormonde, in his letters to the king and lord Byron, says, "that *on this occasion Cromwell exceeded himself and any thing he had ever heard of, in breach of faith and bloody inhumanity!!! and that the cruelties exercised there for five days after the town was taken, would make as many several pictures of inhumanity, as are to be found in the book of martyrs, or in the relation of Amboyna!!!*"—Carte, II. 84.

† "Sir,—It has pleased God to bless our endeavours at Drogheda; after battering, we stormed it. The enemy were about three thousand strong in the town. They made a stout resistance, and near one thousand of our men being entered, the enemy forced them out again. *But God giving a new courage to our men*, they attempted again, and entered, beating the enemy from their defences. The enemy had made three retrenchments, both to the right and left, where we entered, all which they were forced to quit; being thus entered, *we refused them quarter*, having the day before summoned the town. I believe *we put to the sword the whole number of the defendants!!* I do not think thirty of the whole number escaped with their lives: those that did are in safe custody, *for the Barbadoes*. Since that time the enemy quitted to us Trim, and Dundalk; in Trim they were in such haste, that they left their guns behind them. *This hath been a marvellous great mercy!!!!* The enemy being not willing to put an issue upon a field battle, had put into this garrison almost all their prime soldiers, being about three thousand horse and foot, under the command of their best officers, sir Arthur Aston being made governor.

churches in London, thanks were returned to the God of mercy, for this barbarous slaughter of his creatures!*

History furnishes no circumstance more disgusting, revolting, or hideous; than this nauseous compound of base perfidy, murderous cruelty, and abominable hypocrisy. Never was the throne of the Living God more egregiously insulted, than by these impious offerings of thanksgiving; and never were the thunders of heaven more loudly called for, than to blast the Pharisaical wretches who made such a mockery of all the imperious duties of humanity and religion.

Some time afterwards, Cromwell gained possession of Wexford, by treachery; where a carnage was perpetrated, as atrocious as that which had taken place at Drogheda.† The perfidy and cruelty were exactly of the same character as the proceedings at the latter place. Commissioners on the part of the citizens had made a treaty with Cromwell, whereby persons and property were to be secured, as well of the garrison, as the inhabitants.‡ But in violation of the treaty, the whole, to the number of 2000, men, women, and children, were slaughtered.

Ireton, apparently sated with slaughter, gave protection to the remnant of the inhabitants of a certain barony. But "*being informed* that they had broken the articles," he, without inquiry, issued orders to slaughter every "*man, woman, and child*" it contained.§ Lord Broghill, though a sanguinary ruffian, shuddered at the barbarity of those terrible orders; remonstrated with Ireton; and at length, with considerable difficulty, prevailed on him to confine the massacre to

There were some seven or eight regiments, Ormonde's being one, under the command of sir Edmund Verney. I do not believe, neither do I hear, that *any officer escaped with his life, save only one lieutenant*, who, I hear, going to the enemy, said, that he was the only man that escaped of all the garrison. The enemy were filled upon this with much terror: and truly I believe this bitterness will save much effusion of blood, *through the goodness of God!!!*

"I wish that all honest hearts may *give the glory of this to God alone, to whom indeed the praise of this mercy belongs!!!* for instruments they were very inconsiderable to the work throughout.

O. CROMWELL."‖

* "The ministers of London acquainted the people with the great success of the parliament's forces in Ireland, and returned thanks to God for the same."—*Ibid.*

† "As soon as Cromwell had ordered his batteries to play on a distant quarter of the town, [Wexford] on his summons being rejected, Stafford admitted his men into the castle, from whence issuing suddenly, and attacking the wall and gate adjoining, they were admitted, either through the treachery of the townsmen or the cowardice of the soldiers, or perhaps both: *and the slaughter was almost as great as at Drogheda!!*"—WARNER, 476.

‡ "Commissioners, treating with Cromwell, had procured the safety of the inhabitants of the town—and the preservation of it from plunder; as [well as] leave for the soldiers to depart every one to their own homes (they engaging not to bear arms any more against the state of England) and lastly of life to the officers."—BORLACE, 225.

§ "Soon after Ireton had the command of the army, he was informed that a certain barony had broken the articles in consideration of which they had been protected. He marched therefore against this barony, *and gave immediate orders to his soldiers to kill man, woman, and child!!!* but before these orders were executed, lord Broghill expostulated with him upon the cruelty of such proceedings."—ORRERY, I. Memoirs, 32.

‖ Whitelock, 123.

persons found in arms, or who made resistance.* Those who consider the awe which a ferocious army inspires, the reluctance which, without the most grievous outrage, the peasantry must have felt to encounter the swords of a victorious enemy, as well as the violence and rapacity of such an enemy, will be led to believe, that the provocation was of a similar character with that which, according to Phædrus, was given by the lamb, drinking at the lower part of the stream, to the wolf, allaying his thirst above, who charged the innocent animal with muddying the waters. The strong probability is, that some individual resisted the rape of his wife or daughter, or the plunder of his property, and that the foiled ruffians magnified the affair into a violation of the protection. But be that as it may, it does not diminish our horror of the merciless Ireton, who issued the murderous mandate to slaughter "man, woman, and child;" as it must be obvious, that, if there were really a violation of the articles, a large portion of the men were probably wholly innocent: and, at all events, the women, and more especially the children, could not have deserved the extermination from which they were so hardly rescued.

To the wretched Irish, neither caves, nor castles, nor churches, afforded any security. The murderous spirit of their enemies pursued them in every quarter, with as little mercy as the tiger displays towards the bleating lamb.

Three thousand men, women, and children, of all ranks and ages, took refuge in the cathedral of Cashel, hoping the temple of the Living God would afford them a sanctuary from the butcheries that were laying the whole country desolate. The barbarian Ireton forced the gates of the church, and let loose his blood-hounds among them, who soon convinced them how vain was their reliance on the temple or the altar of God. They were slaughtered, without discrimination.† Neither rank, dignity, nor character, saved the nobleman, the bishop, or the priest; nor decrepitude, nor his hoary head, the venerable sage bending down into the grave; nor her charms, the virgin; nor her virtues, the respectable matron; nor its helplessness, the smiling infant. Butchery was the order of the day,—and all shared the common fate.

> "Behold the furious and unpitying soldier,
> Pulling his reeking dagger from the bosoms
> Of gasping wretches. Death in every quarter,
> With all that sad disorder can produce,
> To make a spectacle of horror.
> "Distracted mothers
> Kneeling before their feet, and begging pity;
> Their naked, mangled breasts besmeared with blood,
> And even the milk, with which their fondled babes
> Softly they hush'd, drop in anguish from them."—Otway.

* "He was therefore humbly of opinion, that it would be more just, reasonable, and honourable, to order the soldiers to kill none but who were found in arms or made any opposition. With these words, *Ireton was at last, though hardly, persuaded to revoke his bloody commands!*"—Orrery, I. 33.

† "Having brought together an army, he marched into the county of Tipperary, and hearing that many priests and gentry about Cashel had retired with their goods into the church, he stormed it, and being entered, *put three thousand of them to the sword, taking the priests even from under the altar.*"—Ludlow, I. 106.

That the leaders of the forces of the government perpetrated the most atrocious cruelties, I have fully proved. I shall now give a few strong facts, to satisfy the reader, that they gloried in their guilt, and regarded the extent of their murders as constituting their merits. The sanguinary lord Orrery, bending down into the grave, being seventy-six years of age, in urging the claims of the earl of Barrymore and his two sons on the speaker of the English house of commons, appears to lay his chief dependence for success on the desolation they had perpetrated. The first, he says, lately hung up, "forty-three notable rebels for a breakfast."* It is not difficult to conceive what hideous havoc and carnage the constant repetition of these breakfasts, and dinners and suppers of the same character, must have produced.

The merit of the two sons of lord Orrery far transcended that of lord Barrymore; as they, in the course of a few months, destroyed above three thousand of the Irish.† This afforded them a sure claim to the favour and protection of government.

Sir William Cole, with one regiment of foot, of five hundred men, and one troop of horse, is recorded by Borlace to have slain 2,417 swordsmen, in various skirmishes and battles! and to have "*starved and famished of the vulgar sort*," whose property they had previously plundered, no less than "7000 *persons!!!!*" and thus, adds he, "the English in all parts fought, so as indeed the rebels lost, in the general, many men, and much of their substance." That they lost "much of their substance," and that their enemies were as justly celebrated for their skill in plunder as for their thirst of blood, is beyond doubt. The following circumstance will shed additional light on this subject.

Sir Richard Cox, in the subsequent war between James II. and William, boasted that he had, *in the single county of Cork, killed and hanged three thousand of the Irish*;‡ made preys to the amount of twelve thousand pounds; and divided three hundred and eighty pounds among one troop. This, it is to be presumed, is a pretty fair specimen of the slaughter and rapine that extended throughout the kingdom.

When a view is taken of the various thousands gleaned up in the

* "The earl of Barrymore hath nothing but what he fighteth with the rebels for, and getteth by his sword: *he having lately hanged forty-three notable rebels for a breakfast!*"—Orrery, I. 12.

† "I do affirm, and will make good this undeniable truth, that my two sons, Kynalmeaky and Broghill, with those forces that I have raised and satisfied, and they command, have been the destruction of *above three thousand rebels, since the* beginning of the *insurrection!*"—*Idem*, 15. This letter is dated August 25, 1642; and the insurrection had not spread into Munster until December, 1641. This affords a clew towards forming an estimate of the horrible carnage perpetrated throughout the kingdom on the wretched Irish.

‡ "As for the enemy, I used them like nettles, and squeezed them (I mean their vagabond partyes) soe hard, that they could seldom sting; having, as I believe, *killed and hanged no less than three thousand of them*, whilst I stayed in the county of Cork; and taken from them, in cattle and plunder, at least to the value of 12,000*l.* which you will easily believe, when you know that I divided 380*l. between one troop* (colonel Townsend's) in the beginning of August. After which colonel Beecher and the western gentlemen got a *a prey worth* 3000*l.* besides several other lesser preys, taken by small partyes, that are not taken notice of."—Sydney Papers, M. I. 168.

preceding pages; 3,000 in one place; 7,000 in another; 4,000 in another; 5,000 in another, and so on in succession; and when regard is had to the novel circumstance of the utter exclusion of all the histories on the Irish side of the question, no man can doubt that in this war of extermination, originally founded on the manifest perjury of O'Conally, provoked by the most savage cruelty, and protracted by the combined influence of devouring avarice, religious bigotry, and the most rancorous national hostility, there were, as I have already stated, from sir William Petty, above FIVE HUNDRED THOUSAND OF THE IRISH "wasted by the sword, plague, famine, hardship, and banishment, between the 23d October, 1641, and the same day, 1652;"—[PETTY, 18. Sir William states the precise number of 504,000.] that Ireland, during that war, exhibited as dreadful a scene of rapine and slaughter as either Mexico or Peru, when invaded by the Spaniards; and that none of the sanguinary exploits of Cortes or Pizarro, or Santa Anna, could exceed, for atrocity, the deeds of Coote, St. Leger, Monroe, Inchiquin, Grenville, Hamilton, Tichbourne, Ireton, or Cromwell.

The horrible scenes we have depicted were not confined to Ireland. The war was carried on, in England and Scotland, with similar rapine, desolation and carnage on both sides, royalist and republican. It is not necessary, nor would it be proper, to enter here into detail respecting the affairs of the sister island. A few instances will be sufficient for my present purpose, merely to display the spirit of the age, the humanity of its warfare, and the peculiar propriety of the eternal reproaches, with which "the welkin has rung," against the barbarity of the Irish.

Lord Clarendon, in various parts of his history, narrates the ruthless ferocity that raged in battle and after defeat, when neither age nor sex was spared. In particular, he states, that, in the pursuit of the royalists, after the battle of Naseby, there were about one hundred women slaughtered, and among them the wives of some of the officers.*

According to Burnet, prisoners were slaughtered in cold blood, and after quarter given: and the preachers, from the pulpit, deprecated the extension of mercy towards them, and denounced all those who were for moderate measures.†

I conclude with an account from Rushworth, of the ruthless and savage progress of Montross, in Scotland, anno 1644, which may stand a parallel with the murderous exploits of Ireton or Cromwell. For six weeks he acted the part of a demon incarnate, as far as his power extended, *laying the whole country in flames*, and, in imitation of the sanguinary orders of the lords justices of Ireland, slaughtering all the males able to carry arms, or, in other words, "*fit for war.*"‡

* "The enemy left no manner of cruelty unexercised that day; and in the pursuit *killed about one hundred women, whereof some were the wives of officers of quality!*"—CLARENDON, II. 509.

† "Upon this occasion, many prisoners that had quarter given them, *were murdered in cold blood!* The preachers thundered in their pulpits against all that were for moderate proceedings, as guilty of the blood that had been shed! '*Thine eye shall not pity, and thou shalt not spare,*' were often inculcated after every execution!!!!"—BURNET, I. 40.

‡ "Montross dividing his army into three brigades, ranged over the whole country, and laid it waste; *as many as they find in arms, going to the rendezvous, they*

I cannot close this chapter without some reflections on the conduct and character of Phelim O'Neil, whose history is involved in considerable uncertainty. He appears to be given up to unqualified censure, as having been guilty of excessive and unparalleled cruelties. The characteristic falsehood, which, as I have shown, strongly marks the Anglo-Hibernian histories of Ireland, should make us, unless disposed to be deceived, receive with extreme caution, whatever they assert that is not supported by unimpeachable documents. And the evidence on which the accusation rests, is by no means conclusive. On the contrary, there is every reason to believe, that the severe censures of which he has been the object, are unfounded. That he put to death many of his prisoners in cold blood, appears highly probable. But it is not only equally probable, but almost certain, that it was in retaliation for the horrible cruelties perpetrated on the Irish by the government forces, which, as I have fully proved by the testimony of Nalson, Carte, Warner, and Leland, slaughtered men, women, and even children, indiscriminately. The detestable orders of the lords justices, to "kill all the men able to bear arms, in the places where the rebels were harboured," did but give official sanction to a system then in full operation. This system was a full warrant and justification of the slaughter of prisoners, in retaliation, and to arrest the progress of that horrible warfare. From the commencement of the insurrection, such had been the career of the armies of the government, who were taught by many of their fanatical preachers, that the Irish idolaters were to be served as the Canaanites were served by Joshua, the son of Nun. This was a doctrine held out distinctly, and acted upon by Cromwell and many of his precursors—"Cromwell," they say, "made his soldiers believe, that the Irish ought to be dealt with as the Canaanites in Joshua's time." [Anderson's Royal Genealogies, 786.] This accounts for cutting off "*the nits as well as the lice.*"—Supra, 339.

I trust, if a ferocious enemy were to land on our shores, and to murder unoffending men, women, and children, there is no rational man who will deny, that we would not only be justified, but be imperiously called on by duty to ourselves, our wives, our children, and our country, to destroy them by every means we could devise, as so many wolves, or tigers. Warner offers a condemnation of the justices, which, though more brief than the occasion requires, is yet a justification of the retaliatory of the system of the Irish. "Can any one read this order, and think that these justices had any reason to complain of the cruelties of the ignorant and savage Irish?" [Warner, 165.]

I most earnestly request the reader's attention to the following statement, which I trust will place the conduct and character of sir Phelim in so strong and clear a point of light, as to insure a correct decision. On the 5th of November, 1641, the Castle of Ballaghie surrendered to him, on terms of capitulation, which he honourably observed. The people were allowed to depart in perfect safety, and to carry away

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slay, and spared no man fit for war!! and so destroyed, or drove out of the country, or into holes unknown, all the service, and *fired the villages and cottages*, and drove away and destroyed all their cattle!! These things lasted from the 13*th of December*, 1644, *to the end of January following!!*"—Rushworth, V. 985.

trunks of plate and money. Had he been the ferocious and sanguinary ruffian he is represented, would he not have availed himself of this opportunity to gratify his thirst of blood, and his lust of plunder, to which the strongest temptations were offered? There cannot be a question on the subject. The most deadly and rancorous enemy that Ireland ever had, even Cromwell himself, if alive, were he to answer this question ingenuously, could not but answer in the affirmative.

But it is triumphantly said, that on the 15th, when he took the castle of Lurgan, on capitulation, he violated the terms—plundered the people—and killed or allowed to be killed several of the servants.*

Light and darkness are not more opposite than his conduct on the 5th and that on the 15th. This contradiction cannot be accounted for on any ordinary principles. Men's characters and conduct, though liable to occasional vicissitudes, do not change to such a degree in so short a space of time. Something very extraordinary, indeed, must have taken place, to transform an honourable man into a demon, as he would have been, were this act incapable of justification, or at least of very plausible palliation. All the Irish writers account for this change of conduct satisfactorily. They assert that this measure of severity was adopted in retaliation for a most horrible massacre perpetrated about the beginning of November on the island of Magee, of three thousand, men, women, and children! On this ground the anomaly vanishes. A proceeding, which at the first blush appears to wear the aspect of the grossest inconsistency, and the most ferocious cruelty, on this explanation at once loses all its inconsistency, and assumes the aspect of rigorous and inflexible justice—a resort to the lex talionis, "an eye for an eye—a tooth for a tooth"—not on the offenders, who were wholly out of his reach—but on their friends, to arrest the career of murder. Here our path is straight and plain. Nothing is incoherent or irreconcileable to reason and common sense. On any other ground, we are in utter darkness. But Leland contends, that the massacre took place in the beginning of January—and he and Warner regard the numbers as greatly exaggerated—as the island could not support near so many persons. That a massacre was perpetrated there on the Irish, has never been denied for a moment, by any of the

* "On the 15th of November, the rebels, after a fortnight's siege, reduced the castle of Lurgan; sir William Bromley, after a stout defence, surrendering it on the terms of marching out with his family and goods: but such was the unworthy disposition of the rebels, that they kept him, his lady, and children prisoners; rifled his house, plundered, stripped, and killed most of his servants; and treated all the townsmen in the same manner. This was the first breach of faith, which the rebels were guilty of, at least in these parts," [there was then no other insurrection in any other parts of Ireland,] "in regard of articles of capitulation; for when Mr. Conway, on November the 5th, surrendered his castle of Bally-aghie, in the county of Derry, to them, they *kept the terms for which he stipulated, and allowed him to march out with his men, and to carry away trunks with plate and money in them to Antrim!* Whether the slaughter made by a party from Carrickfergus, in the territory of Magee, a long narrow island, running from that town up to Oldenfleet, in which it is affirmed, that *near three thousand harmless Irish, men, women, and children, were cruelly massacred,* happened before the surrender of Lurgan, is hard to be determined; the relations published of facts, in those times, being very indistinct, and uncertain, with regard to the time when they were committed; though it is confidently asserted, that the said massacre happened in this month of November."—Carte, I. 188.

Anglo-Hibernian writers. Whether the number is exaggerated or not, makes no difference as to the measure of retaliation. Moreover, let it be observed, that it is not pretended that these murdered persons were inhabitants of the place. They were fugitives from the circumjacent country, who had fled thither for refuge. But, I repeat, the number, whether correct, or too great or small, is unimportant. The date is the material point. Leland, to disprove the date, refers to the depositions in Trinity College, of which I have given specimens in Chapter XXX, and which are nearly all tales of what "one body heard another body say," and are not entitled to any attention whatever, being a mass of perjury and fraud. Carte, according to Leland, seems "to favour the opinion" of the massacre having taken place in the beginning of November. I present in the preceding note his statement of these events, which will pass with the reader for what it is worth.

But the reason given by Warner and Leland for the ferocious proceedings of sir Phelim O'Neil, generally, will not stand investigation, admitting them to be truly stated, without exaggeration, which, considering the data on which they rest, cannot for a moment be conceded. It is said that when he heard of any ill success of the Irish, he was transported with fury, and ordered his prisoners to be murdered in violation of treaty.* Is it not, I repeat, infinitely more probable, that he had recourse to these sanguinary measures, that is, admitting he was guilty of them, as a retaliation for the slaughter perpetrated by the government forces, than in consequence of defeat? A recent writer presents the subject in so strong a point of light, that it cannot fail to make a deep impression on the reader—"Defeat and disaster would rather dispirit than brutalize—would rather produce kindness to prisoners, as a means of reconciliation, than cruelty, which would cut off all hopes of accommodation." [O'Connor.] With this remark I leave the whole subject to the calm reflexion of the reader.

The unceasing efforts that have been employed to stifle the truth, and to keep the world in a state of darkness, on the subject of the barbarous carnage perpetrated on the Irish, are incredible. They have unfortunately been but too successful. One instance displays such profligacy, that it only requires to be stated, to excite the indignation of every honourable mind.

The government forces in Ulster had committed some frightful

* "Upon any ill success, he would in a fury order his prisoners to be murdered, or some act of barbarous cruelty and senseless vengeance to be done. In some of these frantic fits, he caused Mr. Richard Blaney, knight of the shire of Monaghan, to be hanged in his own garden; and the old lord Charlemont to be shot: in another when the rebels were repulsed in the attack of the castle of Augher, and several of the sept of O'Neil slain, he ordered Mulmory Mac Donnel, to kill all the English and Scots within the parishes of Mullebrack, Logilly, and Kilcluney; in another, when he heard of the taking of Newry by lord Conway, he went in the beginning of May in all haste to Armagh, and in breach of his own promise under his hand and seal at the capitulation, murdered an hundred persons in that place, burnt the town and cathedral church, a venerable and ancient structure, said to be built by St. Patrick, and called by a name reverenced enough among the Irish, to have been an effectual protection to the fabric dedicated to his honour; fired all the villages and houses in the neighbourhood, and murdered many of all ages and sexes, as well in the town as in the country round about."—Carte, I. 176.

massacres of the Irish, of which an account was published in London. The House of Commons, actuated by the most rancorous spirit of hostility towards the Irish, took the alarm. They had the printers committed to prison, without trial; ordered the book to be burned by the hands of the common hangman; and directed the Stationers' Company to seize all the copies that could be found, which were to be committed to the flames.* Thus early began the work of deception; thus early was the veil thrown over the enormities of which the Irish were the victims; and thus early were the streams of history poisoned by public authority.

The following extract from a most virulent book published in London, anno 1647, affords a full display of the infernal spirit of rancour and malice that then prevailed in England against the Irish; and which will serve in some measure, to account for the butcheries of the St. Legers, the Monroes, the Cootes, the Iretons, and the Cromwells, as exhibited in the present chapter.

"*The Simple Cobler of Aggavvam in America. Willing to help 'mend his Native Country, lamentably tattered, both in the upper leather and sole, with all the honest stiches he can take. And as willing never to bee paid for his work, by Old English wonted pay. It is his trade to patch all the year long, gratis. Therefore I pray, gentlemen, keep your purses. By Theodore de la Guard.* In rebus arduis ac tenui spe, fortissima quæque concilia tutissima sunt.—*Cic. In English.*

When bootes and shoes are torne up to the lefts,
Coblers must thrust their awles up the hefts.
This no time to feare Appelles gramm:
Ne Sutor quidem ultra crepidam.

London, printed by J. D. & R. I. for Stephen Bowtell, at the sign of the Bible in Popes-Head-Alley, 1647.

"*A word of Ireland: Not of the Nation universally, nor of any man in it, that hath so much as one haire of Christianity or Humanity growing on his head or beard, but only of the truculent Cut-throats, and such as shall take up Armes in their Defence.*

"These *Irish*, anciently called *Anthropophagi*, man-eaters, Have a Tradition among them, That when the Devill shewed our Saviour all the kingdomes of the Earth and their glory, that he would not show him *Ireland*, but reserved it for himself: It is probably true, for he hath kept it ever since for his own peculiar; the old Fox foresaw that it would eclipse the glory of all the rest: he thought it wisdome to keep it for a Boggards for himself, and all his unclean spirits employed in this Hemisphere, and the people to doe his Son and Heire, I mean the Pope, that service for which *Lewis* the eleventh kept his Barber *Oliver*, which makes them so bloodthirsty. They are the very Offall of men, Dregges of Mankind, Reproache of Christendome, the Bots that crawle on the Beasts taile. I wonder *Rome* it self is not ashamed of them.

"I begge upon my hands and knees, that the Expedition against them may be

* "June 8, 1642, Ordered, That the book, intituled 'A True Relation of the Proceedings of the Scots and English Forces in the North of Ireland,' *shall be burnt by the hands of the common hangman*, in the New Palace yard, at Westminster: and the master and wardens of the Company of Stationers are required to seize all such of these books as are any where to be had, that they may be burnt accordingly.

"Resolved, That Robert White *shall be forthwith committed prisoner to the King's Bench prison*, for printing and publishing of a scandalous libel, to the dishonour of the Scots nation; and he be referred to to the King's Bench, to be proceeded with there according to law."—JOURNALS, II. 619.

undertaken while the hearts and hands of our soldiery are hot, to whom J will be bold to say briefly: Happy is he that shall reward them as they have served us: and Cursed be he that shall doe that work of the Lord negligently! *Cursed be he that holdeth back his Sword from blood!!!* yea, *Cursed be he that maketh not his Sword starke drunk with Irish blood!!!* that doth not recompence them double for their hellish treachery to the English! *that maketh them not heaps upon heaps!! and their country a dwelling place for Dragons, an Astonishment to Nations!* Let not that eye look for pity, nor that hand be spared, that pities or spares them! and *let him be accursed, that curseth them not bitterly!!!!*"

This work was received with such approbation, that it passed through several editions. When such Luciferian doctrines were fulminated, coolly and deliberately, from the press, it is not wonderful that they were carried into ferocious and sanguinary practice in the field of battle; and that "*the nits*" and "*the lice*" were slaughtered in one common mass.

CHAPTER XXXII.

Final subjugation of Ireland by Cromwell. The Irish extirpated out of Ulster, Leinster, and Munster, and driven into Connaught. The maximum price of the plundered lands to Cromwell's soldiers four shillings per acre!!

"What one plunderer left, the next will seize."—Dryden.
"The logic of a conquering sword may silence, but cannot convince."—*Anon.*

The civil war, or rebellion, had raged for twelve years with a degree of violence never probably exceeded in the annals of human wickedness. The most infuriate rage, resulting from religious bigotry, fanaticism, the spirit of persecution, and national hatred, had laid the nation waste. A senseless spirit of faction, among the Roman Catholics, carried to the utmost excess—engendered principally by the intermeddling and turbulent spirit of the nuncio, Rinuccini, a serious curse to the nation—but fostered and fomented, with the most Machiavelian views, by the duke of Ormonde*—destroyed the energies of that body—prevented them from establishing the liberties of their country on a secure basis—and laid them and their posterity prostrate at the feet of the most remorseless and unprincipled aristocracy, that ever cursed a nation.

In 1653, the struggle was over. The butchery by Cromwell, at

* Few men have been more extravagantly eulogized than the duke of Ormonde. His merits fall far short of the panegyrics of his admirers. There is some reason to believe that he was attached to Charles I. and yet it might be proved, and I shall perhaps, at a future day attempt to prove, that in all probability Charles owed to his refined policy the loss of his crown and life. This would be travelling out of the record here—and therefore I waive it. I now confine myself to prove, from his own words, the deleterious policy he pursued towards the Irish, by sowing discord among them, even while he was negociating a cessation of arms and a treaty of peace with them, according to the decided orders of Charles I. which he for a long time declined obeying—and finally obeyed only when it was too late to answer any purpose for his master. After the restoration, an accusation was brought against him, of having been on too friendly terms with the Irish clergy at the commencement of the insurrection. He exculpated himself by the declaration, that the measures he had then adopted, were merely for the purpose of sowing discord among them.

"*My aim was to work a division among the Romish clergy!!!* and I believe I had compassed it, to the great security of the government and Protestants, and against the opposition of the pope, and his creatures and nuncios, if I had not been removed from the government, and if direct contrary counsels and courses had not been taken and held by my successors."—Carte, II. App. 101.

Whoever reads this extorted confession with attention cannot fail to perceive that whatever may have been Ormonde's pretences of attachment to Charles, his Machiavelian course was admirably calculated to promote the views and secure the ultimate success of that monarch's enemies in England, by depriving him of the powerful aid he might have derived from the Irish had they not been embittered against each other by the duke's flagitious and too successful policy.

Drogheda and Wexford, and some minor ones in other quarters, had completely intimidated the Irish, so that they dared not make any further resistance. Cromwell then proclaimed that the country was conquered, and proceeded to parcel it out among his friends and supporters.

He had, like the lords justices, been in favour of a general extirpation of the Irish,* but when it was finally in his power to accomplish

* "They found the utter extirpation of the nation (which they had intended) to be in itself very difficult, and to carry in it somewhat of horror, that made some impression upon the stone-hardness of their own hearts. After so many thousands destroyed by the plague which raged over the kingdom, by fire, sword, and famine; and after so many thousands transported into foreign parts; there remained still such a numerous people, that they knew not how to dispose of: and though they were declared to be all forfeited, and so to have no title to any thing, yet they must remain somewhere. They therefore found this expedient, which they called an act of grace. There was a large tract of land, even to the half of the province of Connaught, that was separated from the rest by a long and a large river, and which by the plague and many massacres remained almost desolate. Into this space and circuit of land they required all the Irish *to retire by such a day, under the penalty of death! ! ! and all who should after that time be found in any other part of the kingdom, man, woman, or child, should be killed by any body who saw or met them! ! ! !* *The land within this circuit, the most barren in the kingdom!* was, out of the grace and mercy of the conquerors, assigned to those of the nation who were enclosed, in such proportions as might with great industry preserve their lives. And to those persons, from whom they had taken great quantities of land in other provinces, they assigned the greater proportions within this precinct; so that it fell to some mens' lot, especially when they were accommodated with houses, to have a competent livelihood, though never to the fifth part of what had been taken from them in a much better province. And that they might not be exalted with this merciful donative, it was a condition that accompanied this their accommodation, that they should all give releases of their former rights and titles to the land that was taken from them, in consideration of what was now assigned to them! ! and so they should for ever bar themselves and their heirs from ever laying claim to their old inheritance. What should they do? They could not be permitted to go out of this precinct to shift for themselves elsewhere; and without this assignation, they must starve there, as many did die every day of famine. *In this deplorable condition, and under this consternation, they found themselves obliged to accept or submit to the hardest conditions of their conquerors! ! !* and so signed such conveyances and releases as were prepared for them, that they might enjoy those lands which belonged to other men.

"And by this means the plantation (as they called it) of Connaught was finished, and all the Irish nation enclosed within that circuit; the rest of Ireland being left to the English; some to the old lords and just proprietors, who being all Protestants (for no Roman Catholic was admitted) had either never offended them, or had served them, or had made composition for their delinquencies by the benefit of some articles; and some to the adventurers and soldiers. And a good and great part (as I remember, the whole province of Tipperary) Cromwell had reserved to himself as a demesne (as he called it) for the state, and in which no adventurer or soldier should demand his lot to be assigned, and no doubt intended both the state and it for the making great his own family. It cannot be imagined in how easy a method and with what peaceable formality, *this whole great kingdom was taken from the just lords and proprietors, and divided and given amongst those, who had no other right to it but that they had power to keep it! ! !* no men having so great shares as they who had been instruments to murder the king, and were not like willingly to part with it to his successor. Where any great sums of money for arms, ammunition, or any merchandise, had been so long due that they were looked upon as desperate, the creditors subscribed all those sums as lent upon adventure, and had their satisfaction assigned to them as adventurers. *Ireland was the great capital, out of which all debts were paid, all services rewarded, and all acts of bounty performed! ! !*"—(Clarendon's Life, II. 116.

it, he shrunk from the murderous scheme, whether from "compunctious visitings of conscience," or from an apprehension of the consequences of driving the Irish to desperation, cannot now be ascertained. It is buried in eternal darkness.

But he determined to extirpate them from the three provinces of Ulster, Leinster, and Munster; for the spirit of injustice and rapine which had predominated in Ireland, with unceasing violence from the era of the invasion, was in active and uncontrolled operation in the present case. The Irish Roman Catholics, as well those pronounced innocent by his tribunals, as those who had not been accused, and who of course had undergone no trial, were by a decree of complicated wickedness, expelled their ancient possessions, and driven into Connaught, merely because they were "Irish Papists."*

To the gentlemen of estates in those three provinces, he assigned portions of land in Connaught. But even these, small as they were, often only a fifth, or a tenth part of their ancient inheritance, they could not obtain, without signing releases for the lands of which they were robbed.

The whole kingdom was then surveyed, or its extent estimated, and all those who had claims on the government, were paid out of the lands, the highest of which were estimated at four shillings per acre—and the lowest at a penny.†

Against this wholesale spoliation, the Irish had no remedy. They were forced to submit. And many men who had left splendid dwellings, rich demesnes, a numerous tenantry, and retinues of pampered servants in their old provinces, were in Connaught obliged to derive a miserable subsistence from the cultivation of a few acres.

A tribunal was erected by Cromwell and his followers for the trial of murderers and rebels; and, notwithstanding the tremendous and

* The marquess of Ormonde, in a speech to parliament, anno 1665, draws a strong portrait of the wickedness of the Cromwellian courts of justice, and evinces the deplorable condition of the Irish under their administration, and the barefaced robbery, of which they were victims:

"All the designations of the usurpers towards a settlement were fitted to the establishment and support of their own tyranny, and contrived with such a malicious negligence, that if it would not do that work, it was indifferent to them, whether it could be useful to any other; *witness their giving no other reason for their taking away men's estates, but that they were Irish Papists!!* Such was their bold contempt, not only of the essentials, but of the very formalities of justice."—CARTE, II. App. 33.

† "After the subduing of Ireland, there was no small consultation, how to divide every one's portion. At last, at a council of war of all the chief commanders, lord Broghill proposed, that the whole kingdom might be surveyed, and the number of acres taken, with the quality of them; and then all the soldiers to bring in their demands of arrears and so to give to every man, by lot, as many acres of ground, as might answer the value of their arrears.

"This was agreed on; and all Ireland being surveyed, and the value of acres given in, *the highest was valued only at four shillings the acre, and some only at a penny!!!* Accordingly they took the names of all that were in arrear, who drew lots in what part of the kingdom their portion should be; and *in this manner the whole kingdom was divided among the conquerors and adventurers of money!!!*"—ORRERY'S Memoirs, I. 39.

sickening acts of unheard-of cruelties and massacres, said to have been perpetrated by the Irish, and notwithstanding likewise the perjury of the witnesses, the injustice of the courts, and the various disadvantages under which the accused must have laboured, from the demoniac rage of courts and jurors, there were but two hundred persons found guilty and executed—and however strange it may seem, it is nevertheless true, that in the province of Ulster, which, by all the writers on the subject has been styled the great scene of murder and massacre, *there was scarcely condemned, but Phelim O'Neil.*

PART IV.

FROM 1660 TO 1810.

This division of the work embraces a most important period of Irish history, commencing with the restoration of Charles I., and terminating with the year 1810. I shall confine myself to four leading features of this period.

I. The horrible injustice perpetrated on the Irish after the restoration.

II. The surrender of Limerick, with the civil conditions under which the place was surrendered.

III. The perfidious violation of those conditions, whereby the Roman Catholics were robbed and plundered of their estates; deprived of their privileges as men; and reduced to a state of abject slavery, by the enaction of what Edmund Burke appropriately styled the "*ferocious* code of laws to prevent the growth of popery."

IV. A sketch of the chief features of that vile code till lately in operation.

CHAPTER XXXIII.

Restoration of Charles II. His base ingratitude. Horrible injustice. Bribery and corruption. Devouring lust of plunder. Five thousand Irish, who were plundered of their estates by Cromwell, deprived of even a hearing, and all chance of redress.

"When Ingratitude,
That sin of cowards, once takes root, a thousand
Base grov'ling crimes cling round its monstrous growth
Like ivy to old oaks, to hide its rottenness."—Madden.

"If there be a crime
Of deeper dye than all the guilty train
Of human vices, 'tis ingratitude."—Brooke.

I now proceed to detail such scenes of fraud and villany—such utter disregard of even the form or shadow of justice, as are rarely paralleled, and imprint an eternal stigma on Charles II. his counsellors, the entire administration in Ireland, and most of the leading men in both kingdoms.

Charles II. had, among the Roman Catholics, thousands of faithful subjects, who had fought his battles under Clanrickarde, Castlehaven, and Ormonde. Hundreds of them, with an ill-requited fidelity, had

followed his bankrupt fortunes on the continent, at an enormous and ruinous expense. In two several speeches to parliament, immediately after his restoration, he acknowledged his obligations, and appeared to hold out a pledge of a determination to discharge them.* And if there had been a spark of honour or gratitude in his composition, he would have sacredly guarded their rights, and at least secured them the horrible system of plunder of which they proved victims. But honour or gratitude formed no part of his character.

I have shown in the preceding chapter, on the evidence of lord Clarendon, that the "*whole great kingdom [of Ireland] was taken from the just proprietors, and divided amongst those who had no other right to it, but that they had the power to keep it!!!*"—and from the duke of Ormonde, that there was "*no other reason given for taking away men's estates than that they were Irish Papists!!!*" which, by the way, was one of the greatest possible crimes in that bigoted and fanatical age.

Their estates were generally in the possession of the armies that had fought against Charles I. and no small portion of them were held by those who had sat in judgment on him. From the monarch the Irish had every thing to hope, at least the full measure of justice; and those by whom they had been spoliated, had no claim to any favour. Rigid justice was the utmost extent to which they could aspire.

But the Irish were treated with the most revolting injustice—while their spoliators experienced indulgence, favour, and liberality.

Charles I. was publicly and most justly charged in the prints of the day, with adopting the odious principle of conciliating his enemies, and trusting to the principles and affections of his friends.—*Remarks on* BURNET, 102.

Whether he acted systematically on this maxim, it is not possible to ascertain—but certain it is, that his conduct to the Irish, and to those who had deposed and beheaded his father, was in perfect conformity with it. Hundreds of the latter were enriched by the spoils of the former. In proof of this disgraceful and dishonourable fact, we have the testimony of lord Orrery, who was one of the chief agents in the distribution of the plunder.† Against such evidence in the case, there can be no appeal.

* "The king himself soon after his restoration, in his speech to the parliament, on the 27th of July, 1660, expresses himself in these words: "*I hope I need say nothing of Ireland, and that they alone shall not be without the benefit of my mercy; they have shew'd much affection to me abroad, and you will have a care of my honour, and of what I have promised to them.*" And again on the 30th of November following, in his declaration for the settlement of Ireland, he says: "In the last place we did, and *must always remember the great affection a considerable part of that nation express'd to us, during the time of our being beyond the seas,* when with all cheerfulness and obedience they receiv'd and submitted to our orders, and betook themselves to that service, which we directed, as most convenient and behoofeful at that time to us, tho' attended with inconvenience enough to themselves. *Which demeanor of theirs cannot but be thought very worthy of our protection, justice and favour.*"—Ireland's Case briefly stated, 70.

† "To be neglected was enough; but to see the enemy triumph in their spoils, was more than nature could support. *There are instances of some who were admitted into the royal presence and favour without being totally free from the blood of*

A conspiracy of the Puritans took place in Dublin, in conjunction with some of the same party in England, in 1665, for the purpose of overturning the monarchy, and setting up a republican government. One of the leading conspirators being brought before lord Orrery, he reproached him and his party with their base ingratitude, in attempting to overturn the government of a monarch, who had not only pardoned their rebellion, but *rewarded their services in fighting against him, with the lands of those who had served him abroad!!!* History might be ransacked in vain to find any parallel to the baseness of this proceeding :—

"I did, as well as I could, lay open to him the inexpressible mercy of his majesty to that vile party he had engaged himself with, *not only pardoning to them their past crimes, but also giving them the lands of many, which had served under his royal ensigns abroad, to pay the arrears which had been contracted against his service at home!!!*—Orrery, I. 238.

Shortly after the restoration, an act of oblivion was passed, from which were excepted those who had an immediate hand in the late king's death, including Cromwell, Ireton, and Bradshaw, and others, who, although dead, were attainted, and their estates forfeited. From the benefit of this act were "excluded all those persons who had any hand in plotting, contriving and designing the heinous rebellion of Ireland, or in aiding, abetting, or assisting the same." This was so interpreted, according to Leland, that "*the whole Romish party was excluded.** Thus by an outrageous abuse of power, and an utter violation of the sacred maxim, whereby every man is presumed innocent, till he is proved guilty, the whole body of the Catholics, without distinction or exception, were presumed guilty, and put to the proof of their innocence. To aggravate the severity and injustice of this proceeding, the rules by which nocency was established were of the most iniquitous character.† One was, that every man who had

the king !!! while they, who had lavished their own in his defence, were suffered to starve on the pavement !!! The estates of the Irish who had fought for the king, and followed his fortunes in exile, were confirmed to drummers and sergeants who had conducted his father to the scaffold !!!"—Remarks on Burnet, 103.

* "In England, every rumour unfavourable to the Irish was received with peculiar avidity. Agents were sent from Ireland, who reported their conduct and designs with every offensive aggravation, so that before the landing of the king, *the act of indemnity was so prepared as to exclude all those who had any hand in plotting or contriving, aiding or abetting the rebellion of Ireland, by which the whole Romish party were in effect excluded!!* and when, by another clause, it was provided that the act should not extend to restore to any persons the estates disposed of by authority of any parliament or convention, it was with some difficulty that an exception was inserted 'that of the marquess of Ormonde, and other the Protestants of Ireland.' Some other provisoes were attempted, which must have utterly ruined all the old English families of this country; but they were suspended, and afterwards defeated by the marquess."—Leland, IV. 111.

† "No man was to be restored as an innocent Papist, who at or before the cessation on Sept. 15, 1643, was of the rebels' party, *or enjoyed his estate, real or personal, in the rebels' quarters ! ! ! !* (except the inhabitants of Cork and Youghall, that were driven into those quarters by force,) or who had entered into the Roman Catholic confederacy before the peace of 1646. Whoever had at any time adhered to the nuncio or clergy's party, or papal power, in opposition to the king's authority, or, having been excommunicated for adhering to his majesty's authority, had afterwards owned his offence in so doing, and been thereupon relaxed from his excom-

enjoyed his estate in the rebels' quarters from the commencement of the insurrection to the cessation, in 1643, was, ipso facto, to be regarded as a rebel, and to be barred of all chance of recovering that estate!

Nothing but the most rampant injustice and the most daring spirit of rapine could have devised such a rule. For the Roman Catholics of the pale, who had fled for refuge to Dublin, and freely tendered their services towards the suppression of the rebellion, had been banished from thence to their estates "*under pain of death*," and were therefore imperiously forced to proceed to a part of the country open to the rebels, and for a long time in their possession. It is difficult to

munication: *whoever derived the title to his estate from any that died guilty of the aforesaid crimes*, or pleaded the articles of the peace for his estate, or, living in the English quarters, held a correspondence with the rebels; whoever, before the peace in 1646, or that in 1648, sat in any of the confederate Roman Catholic assemblies or councils, or acted upon any commissions or powers derived from them; whoever employed agents to treat with any foreign papal power for bringing into Ireland foreign forces, or acted in such negociations; or had harassed the country as tories before the marquess of Clanricarde left the government; *whoever came under any of these denominations, was not to be deemed an innocent Papist!!!* One of these qualifications was certainly very rigorous, and the rigour of the law in many cases can hardly be distinguished from injustice. Abundance of Roman Catholics, well affected to the king, and very averse to the rebellion of their countrymen, *lived quietly in their own houses, within the quarters of the rebels*, who out of reverence to their virtues, or favour to their religion, allowed them to do so, though they never took arms or engaged in any hostile act in opposition to his majesty. Such of them as had offered to take shelter in Dublin *were by the lords justices banished thence on pain of death by public proclamation*, and ordered to retire thence to their own houses in the country, where they could not help falling into the power of the rebels; and if these suffered them to live there in quiet, an equitable man, who considers the circumstances of those times, and the condition of all countries that are in a state of war, will hardly see any such iniquity in the receiving of that mercy, or in the unavoidable necessity they were under of living in their own houses, as should bring upon those persons a forfeiture of their estates."—Carte, II. 220.

"These were the most material of the rules which the commons desired might be imposed on the court of claims. There were some others calculated to gain time, and put hardships on the claimants; as "that *upon affidavit being made of a material witness refusing or neglecting to come in upon summons, such cause should be suspended*; that claimants should try their title to lands before they should be admitted to prove their innocency, and both these should be done *before the defendant should be obliged to urge any crimination!!!* that persons provided for to be restored by name to any estate, should not be allowed to claim it by innocency, or any other way than as mentioned in the clause for the nominees; and that no person claiming by innocency should be allowed to make any other claim, if adjudged nocent; that the claims of innocents be tried in the order of counties; and *if the lands claimed lie in several counties, the claimant not to be heard till the last county came to be adjudged!!!* and in case any person had put in a claim before the former commissioners, different from what he put in before the present, the best title for the king should be taken."—*Idem*, 261.

"The qualifications of innocency required by those instructions, (particularly that whereby living in the Irish quarters was to be deemed a proof of guilt,) had been complained of as too severe; but as notwithstanding that severity, several of the Irish had proved their innocency, *their adversaries, whose interest it was to involve them all without exception in the common guilt, were desirous to add to the rigour of those qualifications, and to make the proof of nocency so easy and general, that none of that nation might be able to escape censure, or save his estate!!*"—Idem, 263.

conceive of any thing more flagitious, than that the government should punish them with forfeiture of their estates, for a course of conduct into which it had driven them, "*under pain of death.*"*

One other item deserves serious consideration. Those who inherited estates of persons guilty of any of the crimes specified, among which "*residence in the enemy's quarters*" was one, were to undergo the same penalties as if actually guilty themselves, that is, to forfeit their estates. Thus, had lord Gormanston, lord Dillon, or lord Castlehaven, who were driven out of Dublin, "under pain of death," died in one or two months afterwards, and left an heir only a week old, by this vile regulation, that heir would incur a forfeiture of the estate, whatever might be its value!!

But wicked as was this regulation, and destitute as were the framers of it, of even the slightest semblance of honour or justice, it formed but a minor part of the atrocity of the procedure. Severe as was this ordeal, great numbers passed it, and had some remnant of their estates restored. Had the court proceeded in the examination of the cases, thousands more would have had the same good fortune. But this would have disappointed the views of those harpies who "hungered and thirsted" after the estates of the devoted Irish. To prevent this result, the cession of the court was limited to six months—and by artful management, the decision of the cases was procrastinated as far as possible; so that when the adjournment took place, in August, 1642, there were several thousand claimants, *whose cases were absolutely unheard, and who were forever barred from all chance of redress!!!!* Their estates remained in the hands of the regicides beyond the power of redemption. Thus did this base and perfidious monarch requite the eminent services rendered him by meritorious subjects, of whom he was wholly unworthy.

The number of persons thus precluded from even a chance of justice, is variously reported. A memorial presented to the government by the sufferers, remonstrated against the extreme hardship of the limitation, and praying for an extension of the time of the session of the court, states the number at 8000.—Carte, II. App. 57. Sir Heneage Finch, attorney-general, who replied to it, with a tissue of miserable sophistry, reduces them to 5000, [*Ibid.*] which is very probably far too few—as it was his province to diminish the grievance as far as possible. Leland says there were "more than

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* This atrocious act of injustice was defended in a tissue of fraud and falsehood by sir Heneage Finch, attorney-general at the time of passing the act of settlement:—

"To have enjoyed a man's estate in the Irish quarters, was enough to make a man delinquent. 'Tis true, there is such a rule, and *a very hard rule it seems to be.* I remember it was long debated at this board, before that rule was put into the law. But the reason which prevailed for the inserting of it was this. *That the rebellion was almost twenty years before the passing of the act; and the Irish having murdered all the English or driven them away!!! it was not possible to find a witness against some persons in a whole barony.* And it being certain no man could live quietly among the Irish, who did not comply with them, *the very enjoying an estate in those quarters was left in the act as a mark of delinquency!!!* —Ibid.

3000:"* on what authority he reduces the number is not known. But it is improbable, it was less than the 5000 admitted by Finch. A medium between that number and the 8000 stated by the remonstrants, would probably be near the truth. But even allowing Leland's calculation to be correct, who can think of the case without horror! Three thousand persons robbed of their estates merely because they were "Irish Papists," and thus reduced to beggary, and debarred of all opportunity to assert their claims, and prove their innocence!!

With all these resources for plundering the Catholics, their rapacious enemies were not satisfied. They had recourse to barefaced bribery and corruption. Lord Orrery and Lord Mountrath, raised a sum from 20 to 30,000*l.* sterling, to be distributed in London, among those who could advance "*the English interest.*"† Some part of this sum very probably found its way into the pockets of Charles II. whose "*itching palm,*" at a subsequent period, did not disdain to receive bribes, and to become a standing pensioner of Louis XIV. The following extract from a letter of lord Orrery, to the marquess of Ormonde, renders it certain, that the latter was deeply implicated in this nefarious transaction.

"I did forthwith give him notice thereof, and at the same time chid him soundly, for his unadvisedness in distributing such large sums of money *without your grace's express orders, or at least permission and knowledge;* which, if allowed by your grace, must bring the names of some persons of honour upon the stage, or, if disallowed, must fall heavily upon his purse."—Orrery, I. 179.

Sir James Shean, the agent appointed to distribute the bribes, in a letter to lord Orrery, magnifies his dexterity in the distribution of the money.

"Only this is I do assure your lordship for truth, that I was so wary as to pay the

* "It was declared in the new bill, that the Protestants were, in the first place, and especially, to be settled, and that any ambiguity was to be interpreted in the sense most favourable to their interests! It was also provided, that *no Papist, who, by the qualifications of the former act, had not been adjudged innocent, should at any future time be reputed innocent, or entitled to claim any lands or settlements!* Thus, every remaining hope of those numerous claimants whose causes had not been heard, was entirely cut off. They complained of perjury and subornation in the causes that had been tried before the commissioners of claims; though such wicked practices were probably not confined to one party. But their great and striking grievance was, that *more than three thousand persons were condemned, without the justice granted to the vilest criminals, that of a fair and equal trial.* Of this number, though many, and probably the greater part, would have been declared nocent, yet several cases were undoubtedly pitiable; and now, twenty only were to be restored by especial favour."—Leland, IV. 146.

† London was from this time the scene of disputes upon this affair; and thither agents were sent by the Irish to plead their cause; which they did under great disadvantages. The earls of Orrery and Mountrath took care to raise privately among the adventurers and soldiers between 20 and 30,000*l.* to be disposed of properly, without any account, *by way of recompense to such as should be serviceable to the English interest!!* The Irish had no such sums to command, few friends about the court, and no means of procuring any. The English nation had heard nothing of the rebellion, but what gave them horror, and possessed them with the worst opinion of the whole Irish nation. Those of the council before whom they were to plead their cause, knew little of the conduct of particular persons who deserved favour, but *were ready to involve every body in the general guilt of the massacre, as well as the rebellion!!*"—Carte. II. 232.

money by other hands than my own, and in such a way, that it cannot reflect upon any person, because *I did give it as a present.*"—ORRERY, I. 177.

But all these stratagems and tricks, all this fraud and cunning, were not deemed sufficient. While negociation was pending in London, a proclamation was issued in Dublin, ordering the Irish who had been transported into Connaught, to return there, and not to cross the Shannon!!!* under pain of imprisonment, and such further proceedings against them as the lords justices might think proper. The object of this was to prevent them from making any arrangements to promote the success of their applications. Their letters were opened, and every means that chicane could devise, was adopted to prevent their escape from the toils with which they were surrounded.†

The duke of Ormonde, though on the whole an enemy of the Irish Roman Catholics, highly disapproved of the injustice of condemning them unheard, and debarring them of even a chance of redress. He proposed the appointment of a board, to be composed of the lord lieutenant and six of the privy council, who should be empowered to nominate such of the Irish with whose loyalty they were fully acquainted, who should partake of the same advantages as those who had passed the fiery ordeal of the commissioners. To this proposition no objection could be honestly made. But fair and honourable as it was, it was wickedly rejected.‡

Another trick employed to defraud the Irish was, to reserve large

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* "Whereas by proclamation dated the 10th day of December, 1661, it was for the reasons in the said proclamation expressed, declared, and published, that all persons who had been transplanted, and had departed from the province of Connaught, or county of Clare, since they were transplanted (except such as are particularly mentioned to be excepted in this said proclamation) should, by or before the last day of December last past, return back again to the same places to which they were respectively transplanted, and not to depart from thence, without special license in that behalf from the then lords justices, or other his majesty's chief governor or governors of this kingdom for the time being; and that if after the said last day of December, any of the said persons (except before excepted) should be found without license, as aforesaid, in any part of this kingdom, other than in the said province of Connaught, or county of Clare, that then, and in such case, any one or more of his majesty's justices of the peace of the county, where such person or persons shall be found as aforesaid, were, by the said proclamation, authorised and required *to cause all and every such person or persons, to be apprehended and committed to the shire gaol, there to remain until further express directions* in that behalf from the said late lord justices, or other his majesty's chief governor or governors of this kingdom for the time being."

† "The severe laws and ordinances lately made against the Irish Roman Catholics in that kingdom were hereupon put in execution; *they were not allowed to go from one province to another to transact their business;* abundance of them were imprisoned; *all their letters to and from Dublin intercepted; and the gentry forbid to meet, and thereby deprived of the means of agreeing upon agents to take care of their interest, and of an opportunity to represent their grievances.*"—CARTE, II. 206.

‡ "To apply some remedy to the striking grievance of *a number of Irish claimants abandoned to ruin, merely for the want of the common justice of being heard!!!* he [the Marquess of Ormonde] had proposed that the lord lieutenant and six of the privy council of Ireland, should be empowered to nominate such other persons as innocents, of whose constant loyalty they had sufficient knowledge, and who should be thus entitled to the same advantages with those who were pronounced innocent by the court of claims. *But this proposal was rejected by the English council!!!!*" —LELAND, IV. 142.

THE PROPERTY OF THE NEW-YORK ATHENÆUM

portions of lands not adjudged to any person, as reprisals for their friends, lest the lands allotted to them should prove inadequate to discharge their demands. Thus they rapaciously seized immense bodies of the best lands in Ireland.*

The whole amount of lands regarded as forfeited, by the Down survey, was about *seven millions eight hundred thousand acres!!!*† principally to the exclusion of the real proprietors! The great mass of the lands fell to the share of the various descriptions of harpies, who were let loose to devour the unfortunate island!!!

Had not the ruling powers been wholly destitute of all regard for justice, they might have satisfied the different classes of claimants, without consigning so many thousands of the Irish to penury. Had they scrutinized with rigour the claims of the adventurers, the officers, soldiers, and others, and, pruning off all that were exorbitant, reduced them within proper limits, and rated the lands at fair prices, there would have been an ample fund, wherewith to content the suffering Irish.

It is difficult for the reader to form an idea of the profligate mode in which the estates of the Irish nobility and gentry, were squandered away on the court minions and parasites—how wantonly and prodigally the property plundered from one set of subjects was lavished on another. The proofs are scattered over a large surface, and difficult at this distance of time and place to be gleaned up. They are only to be found by rigorous search and investigation. Sir John Clotworthy, whose servant, O'Conally, was the agent employed to develop the sham plot of 1641, had, with some others, a demand on the government for 7000*l.* sterling, for which he received the princely estate of lord Antrim, of 107,611 acres, with all its improvements!!‡ That is, *at fifteen pence per acre!!!*

However incredible it may appear, it is nevertheless true, that the whole house of commons, with the speaker at their head, were profligate enough to wait on the marquess of Ormonde, lord lieutenant of Ireland, praying that *all the examinations and depositions taken at any time respecting the rebellion, all the records of the courts, and all books, rolls, and writings remaining in any office, should be received as proofs of the nocency of the parties implicated*, and be a bar to their

* "They had granted out all the lands appointed for reprisals to their own friends, under the notion of *cautionary reprisals*, or reprisals *de bene esse!* No practice could be more unwarrantable and irregular; for there was not a word about cautionary reprisals in the declaration; and yet under this palpable fraud, manifestly designed to obstruct justice, *the whole stock of reprisable lands became vested in half a dozen persons!!* Thus the earl of Mountrath, and the lords Massareene and Kingston had got into their hands most of the lands in the counties of Dublin, Louth, and Kildare, and the barony of Barrymore!!"—CARTE, II. 230.

† "Upon the final execution of the acts of settlement and explanation, it appears by the Down survey, that 7,800,000 acres of land were set out by the court of claims, principally, if not wholly, in exclusion of the old Irish proprietors."—NEWENHAM, 172.

‡ "Lord Antrim's estate consisting of 107,611 acres, was allotted to [sir John Clotworthy, afterwards] lord Massareene, and a few other adventurers and soldiers, in consideration of their adventures and pay, *which did not in all exceed the sum of 7000l!!!* Such excellent bargains had those people for their money."—CARTE, II. 279.

claims. This would include all the fabulous tales, of which I have given so many fair specimens in Chapter XXX.

With what abhorrence must every honest mind regard that piratical body, who were so lost to all sense of decency and common honesty as to pray that those examinations and depositions on which above *one thousand indictments were found in two days*;—that of dean Maxwell, who swore to the ghosts screaming for revenge, and to the murder of thousands on hearsay;—that of captain Stratford, who swore to the murder of hundreds, not one of which he pretended to have seen—and so many others, equally destitute of credibility; that these, I say, should be received as evidence to bar honest men of their estates? *

I have, I repeat, made very few, scarcely any quotations from Roman Catholic writers—and none but what were corroborated by protestant authority. I now present one, from a work of great merit, "Ireland's Case briefly stated," which is a fair sample of the atrocious injustice perpetrated on the Irish—but, however vile, it cannot surprise us after the various details of the iniquitous system pursued on this occasion—and the rules laid down for establishing the nocency of the claimants.

"Mr. Francis Betagh, of Moynalty, whose ancestors, for seven or eight hundred years together, were in the possession of a considerable estate in the county of Meath, was but nine years of age in October 1641: yet he was sworn in the court of claims to have been then in actual rebellion, at the head of a foot company, plundering and stripping the Protestants, and that by two of the meanest scoundrels of the whole kingdom, hir'd for the purpose, whereof one was then and there prov'd not to have been three years old at the time of that insurrection, and the other no way qualified to be believ'd, when the gentry of the whole county declar'd and testified to the contrary. Nevertheless, upon the bare oaths of these fellows, the gentleman was adjudg'd nocent by the court; and altho' the perjury was afterwards more fully detected, insomuch that sir Richard Rainsford, chief commissioner or judge of that court, when the machioness of Antrim expostulated the case with him, plainly acknowledg'd the injustice of it, to herself, to the now earl of Limerick, and to other persons of quality; yet no redress cou'd be had for the gentleman, nor any remedy to be expected, while the enactment of the act of settlement was of force."—*Ireland's case briefly stated*, 102.

The increasing degeneracy of mankind is, and has at all times been, a fruitful theme with moralists and theologians. From a perusal of their writings, it would appear as if every succeeding age became worse than those that preceded. According to this theory, mankind must ultimately become demons incarnate. The age of which I am writing, compared with the present, affords the most overwhelming refutation of this doctrine. The contrast between the two is immense, and

* "Any body that considers the methods used in the time of sir W. Parsons to get indictments found upon slight or no grounds, and without adhering to the usual methods of law, or the violence of the commissioners of claims in Oliver's time, or who has ever read the examinations and depositions here referred to, which were generally given upon hearsay and contradicting one another, would think it very hard upon the Irish to have all those, without distinction or examination, admitted as evidence, especially when by an act of state, after the restoration, they had been hindered from reversing their outlawries, and procuring redress in a legal way. Of the same nature was their next request, "that all the proclamations and acts of state, published by the lords justices before the cessation, and declaring any person a rebel and all orders of the house of commons since Oct. 23, 1641, for expelling any member, on account of his adherence to the rebels, might be taken for good evidence."—*Idem*, 263.

wholly against the former. There is scarcely a page of the history of that period uncontaminated with vice and crime of the most revolting kind. Rampant injustice, rapine, and violence!—forgery, perjury, bribery, and corruption—detestable and loathsome hypocrisy covering itself with the thread-bare cloak of religion, while violating every law of religion and morality, honour and honesty—all stalked abroad in the glare of day, and were all employed for the foul and detestable purpose of plundering a generous, but helpless and prostrate nation. Such proceedings, I flatter myself, for the honour of human nature, would not at the present day be countenanced in the most corrupt quarter of the most corrupt country in the civilized, perhaps I might add the savage, part of the world.

CHAPTER XXXIV.

The Stuart dynasty, a curse to the Irish. Abdication of James II. War in Ireland. Grand exploit of Sarsfield in the destruction of a train of artillery, Surrender of Limerick.

"*The history of Ireland's unhappy connexion with England, exhibits, from first to last, a detail of the most persevering, galling, grinding, insulting, and systematic oppression, to be found any where, except among the Helots of Sparta.*" PAULDING.

No nation ever had more cause to curse a family than the Irish to vent maledictions on the miserable Stuart race, whose reigns produced an unvarying tissue of misery and wretchedness to that ill-fated nation. When a nation suffers for some illustrious character, an Alfred, a Gustavus Vasa, a Prince of Orange, or a Washington, there is some consolation, something to cicatrize the wounds. But every Irishman, who reflects on the character of the four Stuarts, who ruled over the three kingdoms, and considers their conduct to Ireland, must feel ashamed that his countrymen should have ever felt the least attachment to that miserable dynasty, commencing with the reign of the wretched pedant, James I.; the perfidious Charles I.;the ungrateful and libidinous Charles II.; and ending with the bigotted and infatuated James II. whose misrule has inflicted unutterable woes on his country.

I have given ample details of the miseries of Ireland, under James I., Charles I., and Charles II. Its adherence to James II. filled up the measure of its miseries—overspread the land with havoc and slaughter —and produced another scene of rapine and confiscation of estates. James's abdication in England did not vacate his title to the crown of Ireland. The vote of the parliament of the latter island, was necessary to extend the abdication there. No such vote was passed. And the Roman Catholics, the great body of the nation, fatally for themselves, determined to support him.

A sanguinary war, of about three years duration, was waged, in which the English armies were generally victorious. In two destructive battles, fought at the Boyne and at Aughrim, the Irish were signally defeated with great slaughter. Many of the fortified towns were taken by the English forces. The siege of Limerick, the most important by far, was undertaken about the close of the summer of 1691. The fortifications were almost impregnable—and were garrisoned by a numerous army. The commanders were brave and skilful. There was scarcely a hope of taking the place by storm—and there was no naval force, on the part of the besiegers, to enable them to effect such a blockade as might starve the garrison into a surrender. It was, moreover, abundantly supplied with provisions. To crown the difficulties of the besiegers, a powerful force was daily expected from France.

The English army was unprovided with a proper train of artillery; and had ordered a formidable one from some distant place, which was

on its way to, and within seven miles of, the English camp. A brave Irish partizan officer, Lord Lucan, better known by the name of Patrick Sarsfield, whose glorious memory ought to be dear to every Irishman, at the head of a small select party of troops from the garrison, met, surprised, defeated, and destroyed the convoy, and took the whole train of artillery. Unable to convey it away, he had no choice but to destroy, and render it useless to the enemy. He placed the cannon, with their muzzles in the earth, surrounded them with gunpowder, and by a train blew up the whole with a most tremendous crash. The officers of the besieging army, about seven miles distant from the scene, knowing the enterprising spirit of the contriver of this *coup de main*, swore, when they heard the explosion, that it must be either Patrick Sarsfield or the Devil, who performed the exploit!

Whatever chance the English might have had for the capture of the place, was thus annihilated. The prospect was, a tedious siege, to be protracted into the winter season, or, what was still worse, a total defeat, if the French forces arrived. William was impatient to close the war, as all his energies and resources were in requisition for the war on the continent, where he had to contend with the best troops, the ablest generals, and the most formidable monarchy in Europe. He therefore gave peremptory orders to General Ginckle, who commanded the besiegers to close the war, by a treaty with the Irish commanders in Limerick on any terms.* This was accordingly done on the annexed conditions,†

* "Six weeks were spent before the place, without any decisive effect. *The garrison was well supplied with provisions. They were well provided with all means of defence. The season was now far advanced, the rains had set in. The winter itself was near.* Ginckle had received orders to finish the war upon any terms.******The English general offered conditions, which the Irish, had they even been victors, could scarce refuse with prudence."—Macpherson, I. 621.

"Many obvious reasons justified William for putting an end to the war upon moderate terms. Many millions had already been expended in the reduction of Ireland. Near 100,000 men had been lost by sickness and the sword. The army, though victorious in the field, *were exhausted with fatigue.* Winter was approaching. The siege of Limerick must in all probability have been raised,—a second disappointment before that place would have been equal to a defeat. The spirits of the Irish would rise; the French, encouraged by their success, would aid their allies with more effect."—*Idem*, 622.

† *The Civil Articles of Limerick.*

"William and Mary by the grace of God, &c. To all to whom these presents shall come, greeting. Whereas certain articles, bearing date the 3d day of October last past, were made and agreed on between our justices of our kingdom of Ireland, and our general of our forces there, on the one part, and several officers there, commanding within the city of Limerick in our said kingdom, on the other part; Whereby our said justices and general did undertake that we should ratify those articles, within the space of eight months or sooner, and use their utmost endeavours that the same should be ratified and confirmed in parliament. The tender of which said articles is as follows, viz.

I. *The Roman Catholics of this kingdom shall enjoy such privileges in the exercise of their religion, as are consistent with the laws of Ireland, or as they did enjoy in the reign of king Charles the second;* and their majesties, as soon as their affairs will permit them to summon a parliament in this kingdom, *will endeavour to procure the said Roman Catholics such further security in that particular, as may preserve them from any disturbance upon the account of their said religion.*

II. All the inhabitants or residents of Limerick, or any other garrison now in

which were duly ratified in proper form, by king William and queen Mary. This solemn contract was, in all its important articles, basely

the possession of the Irish, and all officers and soldiers, now in arms, under any commission of king James, or those authorized by him, to grant the same in the several counties of Limerick, Clare, Kerry, Cork, and Mayo, or any of them; and all the commissioned officers in their majesties' quarters, that belong to the Irish regiments now in being, that are treated with, and who are not prisoners of war, or have taken protection, and who shall return and submit to their majesties' obedience; and their and every of their heirs, shall hold, possess, and *enjoy, all and every their estates of freehold and inheritance, and all the rights, titles, and interests, privileges and immunities, which they, and every or any of them held, enjoyed, or were rightfully and lawfully entitled to in the reign of king Charles* II. or at any time since, by the laws and statutes that were in force in the said reign of king Charles II. and shall be put in possession, by order of the government, of such of them as are in the king's hands, or the hands of his tenats, without being put to any suit or trouble therein; and all such estates shall be freed and discharged from all arrears of crown-rents, quit-rents, and other public charges, incurred and become due since Michaelmas 1688, to the day of the date hereof: and all persons comprehended in this article, shall have, hold, and enjoy all their goods and chattles, real and personal, to them, or any of them belonging, and remaining either in their own hands, or the hands of any persons whatsoever, in trust for, or for the use of them, or any of them: and all, and every the said persons, of what profession, trade, or calling soever they be, *shall and may use, exercise and practise their several and respective professions, trades and callings as freely as they did use, exercise, and enjoy the same in the reign of king Charles* II.: provided that nothing in this article contained be construed to extend to, or restore any forfeiting person now out of the kingdom, except what are hereafter comprised: provided, also, that *no person whatsoever shall have or enjoy the benefit of this article that shall neglect or refuse to take the oath of allegiance*,* made by act of parliament in England, in the first year of the reign of their present majesties, when thereunto required.

III. All merchants, or reputed merchants, of the city of Limerick, or of any other garrison now possessed by the Irish, or of any town or place in the counties of Clare, or Kerry, who are absent beyond the seas, that have not borne arms since their majesties' declaration in February 1688, shall have the benefit of the second article, in the same manner as if they were present: provided such merchants, and reputed merchants, do repair into this kingdom within the space of eight months from the date hereof.

IV. The following officers, viz. colonel Simon Lutterel, captain Rowland White, Maurice Eustace of Yermanstown, Chievers of Maystown, commonly called Mount-Leinster, now belonging to the regiments in the aforesaid garrisons and quarters of the Irish army, who are beyond the seas, and sent thither upon affairs of their respective regiments, or the army in general, shall have the benefit and advantage of the second article, provided they return hither within the space of eight months from the date of these presents, and submit to their majesties' government, and *take the above-mentioned oath.*

V. That all and singular the said persons comprised in the second and third articles shall have a general pardon of all attainders, outlawries, treasons, misprisons of treason, premunires, felonies, trespasses, and other crimes and misdemeanours whatsoever, by them, or any of them, committed since the beginning of the reign of king James II. and if any of them are attainted by parliament, the lords justices, and general, will use their best endeavours to get the same repealed by parliament, and the outlawries to be reversed gratis, all but writing-clerks' fees.

VI. And whereas these present wars have drawn on geat violences on both parts; and that if leave were given to the bringing all sorts of private actions, the ani-

* I, *A. B. do sincerely promise and swear, that I will be faithful, and bear true allegiance to their majesties, king William and queen Mary. So help me God.*

and perfidiously violated, by almost every parliament that sat in Ireland for sixty years, by the laws to prevent the growth of popery, of which

mosities would probably continue that have been too long on foot, and the public disturbances last: for the quieting and settling therefore of this kingdom, and avoiding those inconveniencies which would be the necessary consequence of the contrary, no person or persons whatsoever, comprised in the foregoing articles, shall be sued, molested, or impleaded at the suit of any party or parties whatsoever, for any trespasses by them committed, or for any arms, horses, money, goods, chattles, merchandises, or provisions whatsoever, by them seized or taken during the time of the war. And no person or persons whatsoever, in the second or third articles comprised, shall be sued, impleaded, or made accountable for the rents or mean rents of any lands, tenements, or houses, by him or them received, or enjoyed in this kingdom, since the beginning of the present war to the day of the date hereof, nor for any waste or trespass by him or them committed in any such lands, tenements, or houses: and it is also agreed, that this article shall be mutual and reciprocal on both sides.

VII. Every nobleman and gentleman, comprised in the said second and third articles, *shall have liberty to ride with a sword, and case of pistols, if they think fit; and keep a gun in their houses, for the defence of the same, or for fowling.*

VIII. The inhabitants and residents in the city of Limerick and other garrisons, shall be permitted to remove their goods, chattles, and provisions, out of the same, without being viewed and searched, or paying any manner of duties; and shall not be compelled to leave the houses or lodgings they now have, for the space of six weeks next ensuing the date hereof.

IX. *The oath to be administered to such Roman Catholics as submit to their majesties' government, shall be the oath abovesaid, and no other.*

X. No person or persons who shall at any time hereafter break these articles, or any of them, shall thereby make, or cause any other person or persons to forfeit or lose the benefit of the same.

XI. The lords justices and general do promise to use their utmost endeavours, that all the persons comprehended in the above-mentioned articles, shall be protected and defended from all arrests and executions for debt or damage, for the space of eight months next ensuing the date hereof.

XII. Lastly, the lords justices and general do undertake that their majesties will ratify these articles within the space of eight months, or sooner, and use their utmost endeavours that the same shall be ratified and confirmed in parliament.

For the true performance hereof, we have hereunto set our hands.

CHAR. PORTER,
THO. CONINGSBY,
BAR. DE GINCKLE.

"And whereas the said city of Limerick hath been since, in pursuance of the said articles, surrendered unto us: Now know ye, that we having considered of the said articles, are graciously pleased hereby to declare, that we do for us, our heirs, and successors, as far as in us lies, ratify and confirm the same, and every clause, matter, and thing, therein contained. And as to such parts thereof, for which an act of parliament shall be found to be necessary, we shall recommend the same to be made good by parliament, and shall give our royal assent to any bill or bills that shall be passed by our two houses of parliament to that purpose.

"Provided always, and our will and pleasure is, that these our letters patent shall be enrolled in our court of chancery, in our said kingdom of Ireland, within the space of one year next ensuing. In witness, &c.: witness Ourself at Westminster the twenty-fourth day of February, anno regni regis et reginæ Gulielmi et Mariæ quarto per brave de privato Sigillo. Nos autem tenorem premissor. predict. ad requisitionem attornat. general. domini regis et dominæ reginæ pro regno Hiberniæ. Duximus exemplificand. per presentes. In cujus rei testimonium has literas nostras fieri fecimus patentas. Testibus nobis ipsis apud Westmon. quinto die Aprilis, annoq. regni eorum quarto. BRIDGES.

I shall present a sketch in the succeeding chapter, and which, for atrocious and rampant injustice, might challenge comparison with any buccaneer code ever enacted. These laws left the Catholics a defenceless prey, to the oppression, insult, and outrage, of their fellow-subjects, for nearly a century.

It ought to be observed, that the French reinforcements actually arrived, to a most formidable extent, a few days after the capitulation took place.

CHAPTER XXXV.

Means by which subjugated countries are held in chains. Protestant ascendency. Laws to prevent the growth of Popery. A code of demoralization, tyranny, oppression, rapine, and murder. Robbery of father, mother, sister, and brother, invited by acts of parliament. Prohibition of education. Horse thieves excited and protected by law.

"*When those laws* [*the popery laws*] *were not bloody, they were worse. They were slow, cruel, outrageous in their nature, and kept men alive, only to insult in their persons every one of the rights and feelings of humanity.*"—BURKE.

"*Protestant ascendency is neither more nor less than the resolution of one set of people in Ireland, to consider themselves as the sole citizens in the commonwealth—and to keep a dominion over the rest by reducing them to absolute slavery, under a military power.*"—Idem, V. 239.

IN every subjugated country, there is always a small body of the natives, who make a regular contract, not written, but well understood, and duly carried into effect, by which they sell the nation to its oppressors, and themselves, as slaves, for the sorry privilege of tyrannizing over their fellow slaves. This has ever been the surest foundation on which the dominion of one country over another is perpetuated. The base and miserable oligarchs, who subserve the interests of the ruling nation, indemnify themselves from the chains which they drag about, by the superior weight and pressure of those they impose.

When the English Henries overran and subdued France; had the crown placed on their heads, in Paris; and enjoyed a flattering prospect of permanently securing its descent to their posterity, it was not through the force of English skill or English valour, though both were of the highest grade at that period, that they achieved the conquest. They had at all times in their armies hosts of traitorous Frenchmen, who paved the way for the conquest and slavery of their country. Such, too, was the Roman policy,—such the means whereby that all-grasping and devastating government extended its tyrannical empire over the then known world.

But the case of Ireland is probably among the most forcible illustrations of this maxim that history affords. A herd of wretched oligarchs for centuries existed there, who bartered their country's dearest rights and interests, for the privilege of trampling down their countrymen, over whom they exercised the most galling tyranny that the mind of man can conceive.

This oligarchy, "The Protestant ascendency," was composed of the professors of the established religion. Its oppression has always extended over the Protestant dissenters, as well as over the Roman Catholics; but with very great disparity of effect. The principal grievance of the Protestant dissenter, which he bore in common with the Catholic, is, that he was obliged to support the ministers of two different religions,—his own and the dominant one. In other repects

he stood on nearly the same ground as the professor of the established religion.

The tyranny exercised by this oligarchy over the Catholics, displayed itself in the form of a barbarous code of laws, the professed object of which was "to prevent the growth of Popery;"* but the real one, was, to plunder those on whom they were to operate, of their property, and to divest them of their most sacred rights and privileges; and the direct effect of which has been to demoralize the nation; to reduce it to a state of the most deplorable wretchedness and misery, not

* "*I think I can hardly overrate the malignity of the principles of Protestant ascendency, as they affect Ireland.*"—Burke, V. 232.

"*No country, I believe, since the world began, suffered so much on account of religion.*"—Idem, 213.

"We found the people heretics and idolaters; we have, by way of improving their condition, *rendered them slaves and beggars*, They remain in all the misfortune of their old errors, and *all the superadded misery of their recent punishment.*"—Idem, 211.

"They divided the nation into two distinct parties, without common interest, sympathy, or connexion. *One of these bodies was to possess all the franchises, all the property, all the education. The other was to be composed of drawers of water and cutters of turf for them*"—Idem, III. 452.

"Every measure was pleasing and popular, just in proportion, as it intended to harass and ruin a set of people, *who were looked upon as enemies to God and man; and indeed as a race of bigoted savages, who were a disgrace to human nature itself.*"—Idem, 473.

The code against the Roman Catholics "was a machine of wise and elaborate contrivance; and *as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement in them of human nature itself*, as ever proceeded from the perverted ingenuity of man."—Idem, 495.

"To render men patient under a deprivation of all the rights of human nature, every thing which could give them a knowledge or feeling of those rights was rationally forbidden. To render humanity fit to be insulted, *it was fit that it should be degraded.*"—*Idem*, 438.

"Let three millions of people but abandon all that they and their ancestors have been taught to believe sacred, and *foreswear it publicly, in terms the most degrading, scurrilous, and indecent, for men of integrity and virtue, and abuse the whole of their former lives*, and slander the education they have received: and nothing more is required of them. *There is no system of folly, or impiety, or blasphemy, or atheism, into which they may not throw themselves, and which they may not profess openly and as a system*, consistently with the enjoyment of all the privileges of a free citizen in the happiest constitution in the world."—*Idem, V.* 242.

"No condescension was excessive *which could purchase for the Protestants of Ireland the uncontrolled indulgence of their hatred. They did not hesitate to fall, like Samson, beneath the temple, provided the same ruin might become fatal to their adversaries:* nor, in the warmth of zeal against Popery, did they recollect that the freedom and commerce, which, with so much solicitude, they rejected, might not perhaps appear equally unacceptable to their children. After having hazarded the possession of every object that can make life precious, to avoid the probability of slavery, *they shaped for themselves a bondage which the most hardy tyrant could scarcely venture to propose;* and resigned, by an "awful interdict" every intercourse with the rest of mankind, whilst, in the narrow compass which remained, *they might wanton in the unconstrained enjoyment of revenge. Content to convert their country into one vast prison, if they could find within its bosom a dungeon still more hideous for their unhappy captives.*"—Review of some Interesting Periods of Irish History, 36.

exceeded throughout the wide world; and to legalize an odious system of rapine and fraud.

"Just Alla! what must be thy look,
When such a wretch before thee stands,
Unblushing, with thy Sacred Book,
Turning the leaves with blood-stain'd hands,
And wresting from its page sublime
His creed of lust and hate and crime!
Ev'n as those bees of Trebizond,
Which, from the sunniest flowers that glad,
With their pure smile, the gardens round,
Draw venom forth, that drives men mad!"—Lalla Rookh.

This odious and oppressive system was above half a century in maturing. Hardly a session of the Irish parliament took place, in which there was not devised some new penalty, some new forfeiture, or some new disqualification, to crush, to prey on, and to immolate the wretched Roman Catholics. The utmost ingenuity of fraud and rapine was constantly tortured, to add to the weight of their clanking chains.

The intrinsic wickedness of this code, would be sufficient to entitle its authors to be recorded in the annals of infamy, as long as time shall endure. But its turpitude is greatly enhanced by the consideration, that it was a flagrant and perfidious violation, not merely of the spirit, but of the letter of the articles for the surrender of Limerick, as stated in the preceding chapter, by which the Roman Catholics were to be secured in all the privileges they enjoyed in the reign of Charles II. Still further to aggravate its baseness, if aggravation were possible, the government was not only thus pledged sacredly to secure them whatever they had enjoyed, but the king and queen bound themselves in the most solemn manner, to "*endeavour to procure them such further security as might preserve them from any disturbance upon the account of their religion.*" Far from procuring "*further security*," the few barriers that existed to "*secure them from disturbance*," were prostrated, and they were exposed, defenceless, to the mercy of the worst of their fellow-subjects, by whom they were, for sixty or seventy years, outraged, oppressed, and most piratically plundered of their estates by all the chicane and fraud to which this detestable code held out so powerful an invitation.

When one of the earliest laws of this code was read for the last time in the Irish house of lords, fourteen peers, whose names ought to be rescued from the infamy attached to those who sanctioned it, entered their protest against it as fraudulent and perfidious.*

* *Protest against the act to confirm the Articles of Limerick.*

"Resolved on the question, "that the ingrossed bill sent up by the commons, intitled an act for the confirmation of articles made at the surrender of the city of Limerick, do pass into a law."

"Ordered on motion, that such lords as please may enter their protest to the last foregoing vote, with their reasons.

"WE the lords spiritual and temporal, whose names are hereafter subscribed, do dissent from the aforesaid vote, and enter our protest against the same for the reasons following:

"I. Because we think, *the title of the bill doth not agree with the body thereof,*

Various causes conspired to produce the salutary effect of mitigating the severity of this vile code. The first stroke it received arose from the spirit of volunteering in Ireland, a consequence of the declared inability of the British government to protect that country, during the war against the United States, France, Spain, and Holland. Every description of religionists mixed in the ranks of the volunteers, which engendered an enlarged and liberal spirit of national feeling. The Irish Catholic and the Irish Protestant, as well as the Protestant dissenter, were amalgamated into one solid mass of friends to their common country. Many links of the chains of the nation at large, as well as of the proscribed Catholics, were then knocked off. The increasing liberality of the age has successively removed others. All that remained at the time when this work was written [1819] have since been repealed through the zeal, perseverance, and talents of Daniel O'Connell.

It may be thought a work of supererogation, at this time, to revive the remembrance of a code so odious, so detestable, and so infamous. But this work would be very incomplete, and the reader would have a very imperfect idea of the state of Ireland, and the horrible tyranny under which the mass of the population has groaned, did I not give some sketch of this system.

It is right and proper to record the atrocious code, so that its authors and abettors may be held up to undying infamy, as men equally destitute of honour and justice with Kid, Morgan, and Blackbeard.

All Roman Catholic archbishops, bishops, vicars-general, deans, or any other persons of that religion, exercising ecclesiastical jurisdiction, were liable to imprisonment and transportation; and, in case of

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the title being an act for the confirmation of articles made at the surrender of Limerick, whereas no one of the said articles is therein, as we conceive, fully confirmed.

"II. Because the said articles were to be confirmed in favour of them, to whom they were granted. But the confirmation of them by the bill is such, that *it puts them in a worse condition, than they were before*, as we conceive.

"III. Because this bill omits these material words "and all such as are under their protection in said counties," which are by his majesty's letters patent, declared to be part of the 2d article, and several persons have been adjudged within the said 2d article, by virtue of the aforementioned words. So that the words omitted, being so very material, and confirmed by his majesty, after a solemn debate, as we are informed, some express reason, as we conceive, ought to have been assigned in the bill, in order to satisfy the world as to that omission.

"IV. Because several words are inserted in the bill, which are not in the articles; and others omitted, which *alter both the sense and meaning of some parts of the articles*, as we conceive.

"V. Because we apprehend, that many Protestants may and will suffer by this bill in their just rights and pretensions, by reason of their having purchased, and lent money upon the credit of the said articles; and, as we conceive, in several other respects.

Londonderry,	John Ossory,
Tyrone,	Thomas Limerick,
Duncannon,	Thomas Killaloe,
S. Elphin,	Kerry,
Will. Derry,	Howth,
Will. Clonfert,	Kingston,
W. Killala,	Strabane.

returning, *were guilty of high treason, and were to be punished accordingly.**

In the year 1704, a law was passed, ordering all the Roman Catholic priests in Ireland to register themselves in the parishes to which they respectively belonged; and to give security for their good behaviour, and for their non-removal from the county where they then resided.†

When a priest officiated in any other parish than the one wherein he was registered, he was liable to transportation; and, in case of return, *to be hanged without benefit of clergy!!* ‡

Every Roman Catholic clergyman in the kingdom not registered;§ every one afterwards coming into it from abroad;¶ every one who kept a curate or assistant;** and every such curate or assistant,‖ was also liable to transportation, and eventually *to the gallows, if he returned.*

Two justices might summon any Roman Catholic, sixteen years old, to appear before them, to give testimony when and where he heard mass; who were present, and who celebrated it; and all such other matters and things, touching the priest, as might be necessary to his conviction. In case of refusal, he was subject to a fine of twenty pounds, or imprisonment for one year.—Robins, 462.

Any Roman Catholic priest, celebrating marriage between two Pro-

* "All Popish archbishops, bishops, vicars-general, deans, Jesuits, monks, friars, and *all other regular Popish clergy*, and all Papists exercising any ecclesiastical jurisdiction, shall depart this kingdom before the first of May, 1698. And if any of them shall be, at any time after the said day, within this kingdom, *they shall be imprisoned and remain there without bail till they be transported* beyond the seas, out of the king's dominions, wherever the king, his heirs or successors, or chief governors of this kingdom shall think fit; and *if any so transported shall return again into this kingdom, then to be guilty of high treason, and to suffer accordingly.*"—Robins's Abridgment of the Irish Statutes, 451.

† "Every Popish priest, who is now in this kingdom, shall at the next quarter sessions, to be held in the several counties, or counties of cities or towns, next after the feast of St. John Baptist, 1704, return his name and place of abode, together with his age, the parish of which he pretends to be Popish priest, the time and place of his receiving Popish orders, and from whom; and shall then enter into recognizance, with two sufficient sureties, each in the penalty of fifty pounds, to be of peaceable behaviour, and *not remove out of such county* where his abode is, into any other part of this kingdom."—*Idem*, 458.

‡ "No Popish priest shall exercise the function or office of a Popish priest, but in the parish where the said Popish priest did officiate at the time of registering the Popish clergy, and for which parish also he was registered, and in no other parish whatsoever, *under the penalties as any Popish regular convict is liable unto!*"—Idem, 464.

§ "Every person whatsoever, exercising the office or function of a Popish priest, found in this kingdom, after the 24th of June, 1705, other than such as are registered pursuant to the above act *shall be liable to such penalties, forfeitures, and punishments, as are imposed on Popish archbishops, bishops, &c!!*"—Idem, 459.

¶ "Every Popish clergyman coming into this kingdom after the 1st of January, 1703, shall be liable to such penalties, forfeitures and punishments as are imposed on Popish archbishops, bishops, &c.!!"

** "Every Popish parish priest, that shall keep any Popish curate, assistant, or coadjutor, shall lose the benefit of having been registered, *and shall incur all the penallies of a Popish regular, and shall be prosecuted as such!* ‖ and every such Popish curate, assistant, or coadjutor *shall be deemed as a Popish regular, and prosecuted as such!*"—Idem, 462.

testants, or between a Protestant and Roman Catholic, was guilty of felony,* and liable to suffer death without benefit of clergy!

No Roman Catholic was allowed to have in his own possession, or the possession of any other person for his use, any horse, mare, or gelding, of the value of five pounds.† Any protestant, discovering to any two justices that a Roman Catholic had a horse of that value, might, with a constable and assistant, break open any door; seize such horse; bring him before the justices; and, on paying five pounds five shillings, have the property of such horse, "as if bought in market overt!!"§

Any person concealing such horse, was liable to be imprisoned three months, and pay treble the value!—*Robins*, 451.

Civil officers were authorized to seize the horses of Roman Catho-

* "If any Popish priest, or reputed Popish priest, or any person pretending to be a Popish priest, or any degraded clergyman, or any layman pretending to be a clergyman of the church of Ireland, as by law established, shall, after the 25th day of April, 1726, *celebrate any marriage between two Protestants, or reputed Protestant, or between a Protestant or reputed Protestant and a Papist*, such Popish priest, &c. *shall be guilty of felony, and shall suffer death as a felon, without benefit of clergy, or of the statute!!!*"‡—Robins, 388.

† "No Papist, after the 20th of January, 1695, shall be capable to have, or keep in his possession, or in the possession of any other, to his use, or at his disposition, *any horse, gelding, or mare, of the value of 5l. or more;* and if any person of the Protestant religion, shall make discovery thereof upon oath, to any two justices of the peace, or to the chief magistrate of any city or town corporate, they may within their respective limits, by warrant under their hands and seals, authorize such person, in the day-time only, to search for and secure all such horses: and *in case of resistance, to break open any door, and bring such horse or horses before them*, and such discoverer (being of the Protestant religion), paying or making tender, before such justices, mayor, &c. of the sum of 5*l.* 5*s.* to the owner or possessor of such horse, after such payment, or tender and refusal, the property of such horse or horses, shall *be vested in the person making such discovery and tender*, as if the same had been bought and sold in market overt."—*Idem*, 450.

§ This clause had nearly proved fatal to a rascal who took advantage of it, about forty years since. He forcibly seized a horse, saddled and bridled, belonging to a Roman Catholic. But, though the law sanctioned the robbery of horses, it did not authorize that of saddles and bridles. The villany excited universal indignation among the liberal Protestants. The felon was prosecuted for the robbery of the saddle and bridle, and narrowly escaped the gallows, which he richly deserved. One other circumstance, arising from this law, may merit attention. A Catholic, who owned one of the most celebrated racers in Ireland, worth two hundred guineas, being informed that a person was about to seize him, and pay him the price fixed by law, mounted the horse, and presented him to a Protestant friend; thus defeating the miscreant of his vile purpose.

‡ When very young, I distinctly understood, that a Protestant, of the name of Walker, who lived in Thomas street, Dublin, prosecuted a Roman Catholic clergyman, who had married his daughter to a Roman Catholic, and that the clergyman was found guilty and actually hanged. Doubts have been insinuated of the fact. I am nevertheless persuaded of its correctness; but still I may be in error. Traditions received at early periods of life, are liable to be mistaken, after a long lapse of time, for recollections of facts subjected to the senses. I intended to have ascertained this point by writing to Dublin—but neglected it. It must therefore rest in a state of uncertainty. The reader, however, will find in the next chapter, that this law was actually in force at a late date, and that a clergyman who married a Protestant to a Roman Catholic, was then liable to be hanged, notwithstanding the various modifications of the "Popery laws."

lics, on certain contingencies. If returned, the owners were to pay the expenses of seizing and keeping them !!!!—*Idem*, 466.

To increase the profligacy and turpitude of this code, a large portion of its provisions were ex post facto, and operated the work of rapine and depredation for years antecedent to their enaction. In 1710, an act was passed, annulling fines, recoveries, and settlements, made for seven years preceding !!*

All collateral and other securities, by mortgages, judgments, statutes merchant, or of the staple, or otherwise howsoever, to cover, support, or make good any bargain, sale, confirmation, release, or other conveyance, contrary to a preceding piratical law, were rendered null and void. And *any Protestant might sue out such mortgages, or sue for such lands, in any court of law, and obtain a verdict, and have execution to be put in possession thereof.*†

This provision was retrospective: thus, if a Roman Catholic had lent ten thousand pounds, and, as a security for payment, taken a mortgage on real estate, *any Protestant might sue out such mortgage, and rob the lender of his property !!!* None of the legislators of Tripoli or Algiers, none of the ferocious followers of Blackbead, or Morgan, or Kid, the pirates,—none of the banditti whose trade is rapine and plunder, ever conceived a more piratical or plundering act than this. It may be fairly said to have converted the seat of legislation into "a den of thieves."

If any Protestant woman, possessed of real estate of any description whatever, or personal estate to the value of five hundred pounds, married, without a previous certificate that her husband was a Protestant,

* "*All settlements, fines, common recoveries, and other conveyances had or made* since the 1st of January, 1703, of any lands, &c. by any Papist, or by any Protestant who turned Papist since the said 1st of Jan., 1703, or by any such Papist with his then Protestant wife, who hath turned Papist as aforesaid, whereby any Protestant is barred of any estate, in reversion or remainder, whereunto such Protestant was intituled at the time of levying such fine, suffering such recovery, or making such conveyance, *shall as to such Protestant be null and void!*"—Idem, 460.

† "All collateral and other securities, by mortgages, judgments, statutes merchant, or of the staple or otherwise, *which have been!!! or hereafter shall be, made or entered into*, to cover, support, or secure, and make good any bargain, sale, confirmation, release, feoffment, lease, or other conveyance, contrary to 2 Ann. sess. 1, c. 6. are void to the purchaser of any the said lands or tenements in trust for, or for the benefit of, any Papist, as likewise to any such Papist, his heirs and assigns: and all such lands, &c. so conveyed or leased, or to be conveyed or leased to any Papist, or to the use of, or in trust for, any Papist, contrary to the said act, and all such collateral securities as are or shall be made or entered into, to cover, support, secure or make good the same, *may be sued for by any Protestant*, by his proper action, real, personal, or mixt, founded on this act, in any of her majesty's courts of law or equity, if the nature of the case shall require it."

"Provided any Protestant may prefer one or more bill or bills in the chancery, or chancery of exchequer, against any person concerned in such sale, lease, mortgage, or incumbrance, and against all persons privy to such trusts for Papists; and to compel such person to discover such trusts, and answer all matters relating thereunto, as by such bill shall be required: to which bill no plea or demurrer shall be allowed: *but the defendant shall answer the same on oath at large, which answer shall be good evidence against the defendant*, in actions brought upon this act: and that all issues, in any suit founded on this act, *shall be tried by none but known Protestants !!!*"—Idem, 464–5.

she forfeited her whole estate, which went to the next Protestant heir!!!—Robins, 385.

To outrage the feelings of the wretched Helots, they were forbidden, under a penalty of ten pounds, to bury their dead in the graveyards of any suppressed convent, abbey, or monastery,* where rested the remains of their ancestors!

In order to secure impartial justice, in England, foreigners, accused of petit treason, murder, or felony, are tried by a jury composed of an equal number of natives and foreigners; and juries are thus constituted in civil actions between denizens and foreigners. But, as if nothing were too sacred or holy to be trampled under foot, in Ireland, in all the cases arising under the laws "to prevent the growth of Popery," Catholics were expressly excluded from juries;† and their honour, their property, and their lives were thus exposed to the mercy of their envenomed enemies:

If a Catholic child were sent abroad without license, it was presumed by law that he was sent to be educated in a foreign seminary; *by which a forfeiture of his personal and of the income of his real estate was incurred.* On his return, he might apply to court, and prove the cause of his absence to have been innocent; in which case, he was entitled to the future income of his real estate, but *could not be restored to the proceeds during his absence, nor to any part of his personal estate!!!!*—Robins, 185-6.

Roman Catholics were prohibited from acting as guardians. An infraction of this law subjected the party to a penalty of five hundred pounds!‡

Roman Catholic housekeepers were obliged to find fit Protestant substitutes for militia duty; and, in case of neglect or refusal, to pay double the fine imposed on Protestants;§ and likewise to pay, towards the support of the militia, double what the Protestants paid!!!‖.

* "None shall, from the said 29th of December, bury any dead in any suppressed monastery, abbey or convent, that is not made use of for celebrating divine service according to the liturgy of the church of Ireland by the law established, or within the precincts thereof, *upon pain of ten pounds!*"—Idem, 452.

† "From the first of Michaelmas-Term, 1708, *no papist shall serve or be returned to serve on any grand jury* in the queen's bench, or before justices of assize, oyer and terminer, or gaol delivery, or quarter sessions, unless it appear to the court, that a sufficient number of Protestants cannot then be had for the service; and in all trials of issues, on any presentment, indictment, or information, or action on statute, for any offence committed by Papists, in breach of such laws. *The plaintiff or prosecutor may challenge any Papist returned as juror, and assign as a cause that he is a Papist, which challenge shall be allowed of!!!*"—Idem, 459.

‡ "No Papist shall be guardian unto, or have the tuition or custody of, any orphan or child under the age of twenty-one years; but the same (where the person intituled to, or having the guardianship of, such child, is or shall be a Papist) shall be disposed of by chancery to some near relation of such orphan, &c., being a Protestant, to whom the estate cannot descend.

"If any Papist shall take upon him the guardianship or tuition of any orphan or child, contrary to this act, *he shall forfeit* 500*l. to be recovered by action of debt!!!!*"—Idem, 454.

§ "The lieutenants, &c., or the major part of them, may cause to be raised upon the Popish inhabitants, and upon every person who shall refuse to take the oath of abjuration, (which oath any justice of the peace may administer,) *double the sum they should have paid by virtue of this act*, in case they had been Protestants!!"—Idem, 407.

‖ "In case such Papist shall neglect or refuse to find such sufficient man, *he shall*

Catholics were not allowed to purchase any part of the forfeited estates; nor to inherit, take, make title to, by descent, purchase, limitation, devise, or other conveyance, or have, hold, or enjoy any such estates!* They were even prohibited from taking them on leases for lives or years!

Roman Catholics were prohibited, in 1702, from buying or purchasing, in their own names, or in the names of others to their use, any lands, or rents and profits out of the same, other than for a term not exceeding thirty-one years.† By a refinement of rapacity and injustice, it was enacted, that *if a farm yielded a profit greater than the amount of one-third of the rent, the right to it was immediately to cease, and to pass over to the first Protestant who should discover the rate of profit!!*

No Roman Catholic could be elected mayor, bailiff, sovereign, portrieff, burgomaster, recorder, sheriff, treasurer, alderman, town-clerk, burgess, common council-man, within any city, walled town, or corporation; nor be nominated, appointed, presented, or sworn, as high constable, in any barony, or half-barony; or as petty constable, in any manor, ward, parish, constablewick, or place within the kingdom: but *was to be proportionably taxed to support the same.*—2 Geo. I. xii.

Some portions of this code appears so gratuitously wicked and profligate, that it is difficult even to conjecture what could have been the object of the miscreants by whom they were enacted. So late as the year 1745, it was provided, that all marriages celebrated by a Roman Catholic clergyman, between two Protestants, or between a Protestant and a Roman Catholic, should be *null and void to all intents and purposes, without any process, judgment, or sentence of the law whatsoever.*‡ To what a hidious flood of licentiousness; what overwhelm-

forfeit double the sum as a Protestant should forfeit, in case such Protestant should neglect to attend the service of the militia, when thereunto required, by beat of drum or sound of trumpet, as aforesaid!!"—*Idem*, 409.

* "Leases of the premises to be made to Protestants only, at the full improved rent, without any fine. *Leases to or in trust for Papists, or assigned to them, to be void!!!* and the lessor, assignor, and lessee or assignee, accepting or occupying such lands, *to forfeit treble the yearly value!!!*"—Idem, 26.

† "Every Papist, after the time aforesaid, shall be disabled to purchase, either in his own name or in the name of any other, to his use or in trust for him, any manors, lands, hereditaments, or any rents or profits out of the same, or any leases or terms thereof, other than for a term of years not exceeding thirty-one years, whereon a rent, *not less than two-thirds of the improved yearly value!* at the time of making such lease, shall be reserved and made payable during such term."—*Idem*, 454.

‡ "After the first of May, 1746, every marriage celebrated by a Popish priest, between a Papist and any person who hath been, or hath professed himself or herself to be a Protestant, at any time within twelve months of such celebration of marriage, or between two Protestants, *shall be null and void to all intents and purposes, without any process, judgment, or sentence of the law whatsoever!!!*"—2 Geo. II. xiii. 19.

"Of the administration of Lord Chesterfield, by whose suggestion the above vile act was passed, Mr. Burke gives the following account. "This man, while he was duping the credulity of the Papists with fine words in private, and commending their good behaviour during a rebellion in Great Britain, as it well deserved to be commended and awarded, was capable of urging penal laws against them in a speech from the throne, and of stimulating with provocatives the wearied and half-exhaused bigotry of the Parliament of Ireland. They set to work; but they were at a loss what to do; for *they had already almost gone through every contrivance which*

ing immorality; what basterdizing of children; what uncertainty of inheritance, must this atrocious law have given rise?

Justices of peace might summon any person, suspected of having been married by a Roman Catholic priest, or been present at such marriage; and if such person refused to attend, or to be examined, or to enter into recognisance to prosecute, *he was liable to three years imprisonment.*—Robins, 389.

Dreading lest the piratical and sanguinary system they were establishing, should lead to insurrection, in which they might meet the fate their tyranny deserved, the "ascendency" early determined to secure themselves from that consequence, by robbing and plundering the Catholics of their arms;* thus in a manner tying them neck and heels, and laying them prostrate at their mercy.

The laws on this point, which was regarded as vital to the security of the tyrants, were of the most extraordinary rigour. Two justices of the peace might summon before them any Catholics, from the peer or peeress to the lowest peasant, and examine them, on oath, not merely on the subject of arms in their own possession, but oblige them to turn informers against their parents, children, friends and neighbours; and if they refused to appear, or, on appearing, refused to give evidence, or turn informers, peers and peeresses were subject to a penalty of three hundred pounds, for the first offence; and for the second, to *imprisonment for life, and forfeiture of all their goods!!!!* †

By this law, the best man in the land might be summoned by two justices of the peace, at the instance of the lowest scoundrel, and an oath tendered to him to inform against his nearest or dearest friend. The same oath might be tendered to him the second time, within an hour; and if he refused both times, he was, ipso facto, liable to be robbed of his goods, and *subject to imprisonment for life!!!*

Lest there should be any scruples of conscience among the justices, which might prevent their activity in the enforcement of such a system of legalized, but atrocious rapine, any magistrate who should

could waste the vigour of their country: but, after much struggle, they produced a child of their old age, the shocking and unnatural act about marriages, which tended to finish the scheme for making the people not only two distinct parties for ever, but keeping them as two distinct species in the same land."—Parnell, 69.

* "All Papists within this kingdom of Ireland, before the 1st of March next, shall discover and deliver up to some justice of the peace, *all their arms, armour, and ammunition of what kind soever, in their possession;* and after that time, any two more justices of the peace, within their respective limits, and all mayors, sheriffs, and chief officers of cities, &c. in their liberties, by themselves or their warrants, under their hands and seals, may search for, seize, or cause to be searched for and seized, and take into their custody, all such arms, &c. as shall be concealed in any house, lodging, or other places where they suspect any such to be."—Robins, 448.

† "Two justices of peace, or the magistrate of any corporation, are empowered to summon before them any persons whatsoever, to tender them an oath, by which they oblige them to discover all persons who have any arms concealed, contrary to law. Their refusal or declining to appear, or, on appearing, their refusal to inform, subjects them to the severest penalties. *If peers or peeresses are summoned,* (for they may be summoned by the bailiff of a corporation of six cottages,) *to perform this honourable service, and they refuse to inform, the first offence is* 300*l. penalty!! the second is premunire, that is to say, imprisonment for life, and forfeiture of all their goods!!!* Persons of an inferior order are for the first offence fined 30*l.* for the second, they too are subjected to premunire."—Burke, V. 195.

neglect or refuse to perform the duties it imposed on him, was subject to fifty pounds penalty.*

All wise legislators justly hold, that one of their most important duties is to provide for the instruction and illumination of the people, under a conviction that public instruction and virtue, ignorance and vice grow to maturity together. But the Irish parliament doomed seven-eighths of the nation, to which it was given as a curse, to perpetual and invincible ignorance ! ! To brutalize and barbarize those Helots, to plunge them into the abysses of Cimmerian darkness, they were, at one stroke, cut off from education. The law punished the man who

"Taught the young idea how to shoot,"

who assisted to remove that brutal ingorance which prepares the mind for every species of vice and crime, as severely as the man who robbed altars, burned houses, or murdered his father or mother ! ! !

This never-enough-to-be-execrated code was far worse than Draco's, which is

"Damn'd to everlasting fame."

Draco, barbarous and cruel as he was, in his sanguinary code, which punished all crimes with death, has never been accused of punishing any thing but crimes. But the worse than Draconian Irish legislature donounced banishment, and, in case of return, death, against any Catholic guilty of the offence of teaching school ! ! instructing children in learning, in a private house ! ! or officiating as usher to a Protestant school-master ! ! †

The eternal laws of humanity, imprinted on our hearts by our great Creator, command sympathy for our suffering fellow-creatures, and, when in our power, the extension of relief to their miseries. The rudest savages are not insensible to the sway of this universal and sovereign law. They share their slender pittance with the distressed and suffering stranger. Christ Jesus himself, in the most emphatical language he ever used—in "words that burn,"—denounces "everlasting fire" against those that refuse obedience to this law :

"Depart from me, ye cursed! into everlasting fire, prepared for the devil and his angels! for I was an hungered, and ye gave me no meat: I was thirsty, and ye gave me no drink: I was a stranger, and ye took me not in; naked and ye clothed me not; sick, and in prison, and ye visited me not."

This divine lesson the impious and barbarous Irish legislature, with a wicked hypocrisy, which enhanced the atrocity of the deed, trampled under foot, with a pretence of propagating, in its utmost purity, the religion of that Jesus Christ, of whose precepts and maxims their

* "If any mayor, justice of peace, or other officer, shall neglect, knowingly and voluntarily to do his duty in execution of this act, he shall for every such neglect, forfeit 50*l.* to be recovered by action of debt, &c. one moiety to her majesty, &c. the other to him that will sue for the same."—Robins, 459.

† "*If any Papist shall publickly teach school, or instruct youth in learning in any private house, or shall be entertained to instruct youth, as usher or assistant to any Protestant school-master, he shall be esteemed a Popish regular clergyman, and prosecuted as such, and shall incur such penalties and forfeitures as any Popish regular convict is liable unto ! ! !*"—Idem, 612.

laws were an undeviating violation!!! By those laws, if Francis Xavier, Fleury, Bossuet, Bourdaloue, Fenelon, Massillon, cardinal Pole, archbishop Carrol, bishop Cheverus, the Rev. Mr. Matignon, the Rev. Mr. Harding, the Rev. Mr. Fleming, or the Rev. Mr. Græssel, were in Ireland, and "hungry, and thirsty, and naked, and sick, and in prison," at the last gasp of existence, for want of the common necessaries of life, the man who *three times* administered relief, might by law be robbed of his entire estate, real and personal, as a reward for his charity !!!* Can the vocabulary of execration afford terms of reproach adequate to brand the turpitude of such a system, and of its vile authors?

Throughout the whole habitable globe, even among the most barbarous of the human race, respect and reverence for parents have been universally inculcated, except in devoted Ireland. The fifth command of the decalogue explicitly orders.

"Honour thy father and thy mother, that thy days may be long upon the land which the Lord thy God giveth thee."

This is "the first command with a promise of reward" for its observance; but no punishment is annexed to the violation. Deuteronomy, however, goes further, and pronounces a curse on those who even slight their parents:

"Cursed be he that setteth light by his father or mother."

And Jesus Christ, the light of whose gospel the Irish legislators pretended to spread, renewed and enforced the command,

"Honour thy father and thy mother."

But what was the dictate of the hideous code "to prevent the growth of Popery?" Did it support or countenance the observance of this holy law of Moses and of Jesus Christ? No: it said, in language fit for pirates and robbers, Forswear your religion, and then you shall have legal sanction to plunder your father and mother, and bring their gray hairs with sorrow to the grave.† In return for all their cares, their solicitudes, their pains, their affection, strip them of that property which ought to support your brothers and sisters! This was the unequivocal spirit of Irish legislation, on the subject of filial duty.

When any child or children of any Roman Catholic other than the eldest son, whose case was provided for before, conformed to the Protestant religion, the father was obliged to give in, upon oath, to the court of chancery, a statement of the real and bona fide value of all his estate, real and personal; and make such provision for the present and future

* "Any person that shall, from the first of May, knowingly conceal or entertain any such archbishop, bishops, &c. hereby required to depart out of this kingdom, or that after the said day shall come into this kingdom, shall, for the first offence, *forfeit twenty pounds!* for the second, *double that sum!* and if he offend the third time, *shall forfeit all his lands and tenements of freehold or inheritance during his life; and also all his goods and chattels!!!*"—Robins, 452.

† "The eldest son, conforming, immediately acquires, and *in the life time of his father*, the permanent part, what our law calls *the reversion and inheritance of the estate*, and *he discharges it by retrospect; and annuls every sort of voluntary settlement made by the father ever so long before his conversion!* This he may sell or dispose of immediately, and alienate it from the family for ever."—Burke, V. 187.

maintenance of the conforming child or children, as the court might order!!"—Robins, 459.

By 9th Geo. II. c. 6. sect. 5. "persons robbed by privateers during war with a Popish prince, shall be reimbursed by grand jury presentment, and *the money be levied upon the goods and lands of Popish inhabitants only.*"—Parnell, 68.

Many people have been deluded into the opinion, that these laws were merely enacted in terrorem, and were scarcely ever enforced. This is a very great error. They were for nearly half a century enforced with the most unfeeling barbarity. Thousands of wretches lived on the spoils which they raised by informations against Roman Catholics for breaches of those wicked statutes.

"During all queen Anne's reign, the inferior civil officers, by order of government, were *incessantly harassing the Catholics, with oaths, imprisonments, and forfeitures*, without any visible cause but hatred of this religious profession. In the year 1708, on the bare rumour of an intended invasion of Scotland by the Pretender, *forty-one Roman Catholic noblemen and gentlemen were imprisoned in the castle of Dublin!!* and, when they were afterwards set at liberty, the government was so sensible of the wrong done to them, that it remitted their fees, amounting to 800*l.* A custom that had existed from time immemorial, for infirm men, women, and children to make a pilgrimage every summer to a place called St. John's Well, in the county of Meath, in hopes of obtaining relief from their several disorders, by performing at it certain acts of penance and devotion, was deemed an object worthy of the serious consideration of the house of commons, who accordingly passed a vote, that these sickly devotees "*were assembled in that place to the great hazard and danger of the public peace, and safety of the kingdom.*" They also passed a vote, on the 17th of March, 1705, "*That all magistrates and other persons whatsoever, who neglected or omitted to put them (the penal laws) in due execution, were betrayers of the liberties of the kingdom!!!*"—[Com. Jour. 3. 289,] and, in June 1705, they resolved, "*That all saying and hearing of mass, by persons who had not taken the oath of abjuration, tended to advance the interest of the Pretender; and that such judges and magistrates as wilfully neglected to make diligent inquiry into, and to discover such wicked practices, ought to be looked upon as enemies to her majesty's government.*"—Idem, 319. And upon another occasion, they resolved, "That *the prosecuting and informing against Papists was an honourable service to the government!!*"—Ibid.—Parnell, 59.

Of this code of laws, it may be fairly averred, that, had all the penitentiaries in Europe been ransacked, to form a legislature for Ireland,—had Cartouche and his gang taken possession of the Parliament-house, they could not have devised a more rapacious or cruel system.

There is scarcely a code in the world, that does not afford some instances of unjust and immoral laws, enacted in moments of delusion or faction. But this is the only one universally and undeviatingly profligate and depraved,—of which every provision and paragraph violated some law of God or man, and the plainest dictates of eternal justice,—which legalized robbery, and punished with death acts of humanity—the tuition of youth—the celebration of marriage, &c. &c.

The professed object of the hypocritical tyrants who framed this "ferocious system," as Burk appropriately styles it, was to rescue the objects of its rapacity from the darkness of Popish idolatry. But they might worship Jupiter Ammon, Juno, Venus, Mars, Bacchus, and Apollo, with the Romans; the sun with the Guebres; or Apis, with the Egyptians; they might even disbelieve in God altogether. Provided they foreswear transubstantiation and the Pope's authority, they became pure and immaculate; their property and persons were secure; and, under the forms and ceremonies of the law of the land,

they then acquired a right to rob and plunder the blind, idolatrous Papists whom they had abandoned ! ! ! !

Whoever has duly considered the villany of those statutes, and of the legislators by whom they were enacted; the horrible scenes of oppression, fraud, and murder, which they could not fail to produce; the demoralization that must have followed their operation,—cannot fail to agree with Tillotson, that, so far as respected the devoted island whose fate is the theme of this work, it were

"Better there were no revealed religion, and that human nature were left to the conduct of its own principles and inclinations, which are much more mild and merciful, much more for the peace and happiness of human society, than *to be actuated by a religion that inspires men with so vile a fury, and prompts them to commit such outrages !*"—TILLOTSON, III. 19.

Tillotson applied this strong position to other parts of Christendom; but shut his eyes to the wickedness, the profligacy, and the immorality of the code in force in his native country;*—so much easier is it to take the mote out of our neighbour's eye, than the beam out of our own.†

We have now, however, in this enlightened country, bigoted clergymen, who cant, and whine, and turn up the whites of their eyes, deploring and reviling the persecuting spirit of Madrid, and Lisbon, and Paris, and Rome, and Goa; but, like Tillotson, deaf, and blind, and dumb, to the atrocious system of persecution for ages in operation in England and Ireland. If they attend to the maxim of Jesus Christ, "Let him that is without sin cast the first stone," they will lay an eternal embargo on their tongues, upon this odious, this detestable subject. Sat. verbum.

To the candour and justice of every reader, Christian, Jew, Turk,

* The English laws on this subject were almost as wicked and cruel as the Irish.

† That this detestable code, though cloaked with a hypocritical pretence of a regard for the propagation of the Protestant religion, and a zeal to suppress and extirpate the "*superstitions of Popery*," as the Roman Catholic religion was styled, originated, as I have stated, in a determination to rob and plunder the Roman Catholics of their estates, after having reduced them to the most abject slavery, is evident from the fact, that it was continued in operation, long after experience had proved it utterly unavailing to answer the pretended purposes of its enaction. The first act for robbing the Roman Catholics of their estates, in case they did not conform to the Protestant religion, and bestowing them on the next Protestant heir, or conforming Catholic, was passed in the year 1703, and from that time till 1752 inclusive, a period of fifty years, there were only 1860 certificates of conformity filed.—[NEWENHAM, 184.]—The attempt was almost as futile as an effort to drain lough Erne with a ladle.

I copied an atrocious case of legalized robbery, which I intended to have published here at full length—but have mislaid the MS. and am obliged to confine myself to a mere outline. One of the vile Popery laws, allowed six months for the Catholic heir of real estate to forswear the religion of his fathers, as the means of securing the possession. If he neglected or refused, the next heir, if a Protestant, or a conforming Catholic, was authorized to rob the owner of the property. A large estate devolved on a Catholic, who conformed on *the last day of the sixth calendar month.* He then made a bona fide sale of the property. But the next Protestant heir sued for the estate, on the ground that the law contemplated *lunar months.* The plea, after long litigation, was admitted by the judges, and thus the robbery was sanctioned by what was called a court of justice. Can, I repeat once more, the language of vituperation find words strong enough to mark the infamy of the miscreant legislators, who promulgated such a detestable system?

or Heathen, I appeal, to decide, whether, if the Roman Catholics of Ireland had risen *en masse*, when this vile code was enacted, and crushed their tyrannical oppressors, they would not have been perfectly justified? And whether the resistance would, even if unsuccessful, have deserved the odious name of rebellion?

"Rebellion! foul, dishonouring word,
Whose wrongful blight so oft has stain'd
The holiest cause that tongue or sword
Of mortal ever lost or gain'd.
How many a spirit, born to bless,
Has sunk beneath that withering name,
Whom but a day's, an hour's success
Had wafted to eternal fame!
As exhalations, when they burst
From the warm earth, if chill'd at first,
If check'd in soaring from the plain,
Darken to fogs and sink again;
But, if they once triumphant spread
Their wings above the mountain-head,
Become enthron'd in upper air,
And turn to sun-bright glories there!"—Lalla Rookh.

I also appeal to the reader to decide, whether had any spy or informer blasted such an undertaking he would not have merited never-dying execration? Those who answer the first and third of those questions in the negative are grovelling slaves, who, for sake of consistency, must execrate the barons, who extorted Magna Charta from king John—those who produced the revolution of 1688—and all those who ever made any effort in favour of human liberty or human happiness.

"Oh for a tongue to curse the slave,
Whose treason, like a deadly blight,
Comes o'er the councils of the brave,
And blasts them in their hour of might!
May life's unblessed cup for him
Be drugg'd with treacheries to the brim;
With hopes, that but allure to fly,
With joys, that vanish while he sips,
Like Dead-Sea fruits, that tempt the eye,
But turn to ashes on the lips!
His country's curse, his children's shame,
Outcast of virtue, peace, and fame,
May he, at last, with lips of flame,
On the parched desert, thirsting, die,—
While lakes, that shone in mockery nigh,
Are fading off, untouch'd, untasted,
Like the once glorious hopes he blasted!
And, when from earth his spirit flies,
Just Prophet, let the damned one dwell
Full in the sight of Paradise,
Beholding heaven, and feeling hell!"—*Ibid.*

CHAPTER XXXVI.

State of the Popery laws in the year 1812. *Catholic clergymen liable to be hanged for marrying two Protestants, or a Protestant to a Roman Catholic. Prohibition of permanent endowment of a Catholic chapel or school house. System of exclusion from office, Oppression of parish vestries.*

"Alas, the penal code against the Catholics of Ireland is far from being in a relaxed or languishing state. *No clause is permitted to slumber: no merciful connivance is tolerated: even obsolete enactments are now forced into fresh vigour. The system works incessantly to the prejudice of every Catholic:* and though sometimes unobservedly, yet eventually with sure and grievous efficacy. Even when it bears a masked appearance, it is not less malignant, than when raging in the most furious aspect of persecution.

"*No Catholic is so exalted by rank, fortune, or talent, or so depressed by poverty or ignorance, as to elude its baneful influence, to remain insensible of its contumelious and exasperating operation, or to suppress his murmurs against its long continuance.*"—Statement of Penal Laws.

An idea has been entertained that the only grievance under which the Irish Catholics labour at present, is their ineligibility to seats in parliament and some of the higher offices of government—and therefore that but very few of the first class of that society are interested in the attempts making to promote Catholic emancipation. This is a most egregious error. Almost every Roman Catholic in the nation experiences the disadvantages of the existing order of things, in a greater or less degree, as will appear in the sequel.*

It is very true, that the most hideous features of the "ferocious" and rapacious code, of which I presented a brief sketch in the preceding chapter, have been repealed. The jeopardy in which the government was placed, was the impelling motive, not a sense of justice or humanity, or shame to have the Irish code thus disgraced and dishonoured. A bill was brought in, anno 1778, to enable the Roman Catholics to take leases for sixty-one years. This mighty boon was rejected by the unfeeling tyrannical majority in parliament. The disasters in America opened their eyes to the policy of conciliating the mass of the population—and in a very few months after, I believe in the same session, the same body of men passed an act enabling the Roman Catholics to take leases for 999 years!! What an immense contrast between the rejected bill and the one that finally passed! Imminent danger is a

* The facts in the present chapter are taken from an elaborate and learned work, written and published anno 1812, under the auspices of the Catholic board, by a professional gentleman, of high reputation, and containing a fair statement of the remnants of this vile code, in force at that period. Its title is—"A Statement of the Penal Laws, which aggrieve the Catholics of Ireland." I have reason to believe, but am not quite certain, that no alteration of those laws has since taken place.

wonderful liberalizer of oppressors.* But the repeal of laws which favour the tyranny and oppression of one class of men over another, does not at once destroy inveterate habits of domination or disqualification. The operation is slow. Thus it will be found, that many of the most obnoxious of the exclusions aud restrictions imposed on the Roman Catholics in the days of persecution and bigotry, are as completely in operation as they were forty or fifty years since.

I cannot enter into detail of the various penalties, disqualifications, and oppressions, which, to the disgrace of the government, remain in force in Ireland, against this proscribed body. I shall confine myself to a few of the most prominent.

The vile law still remains in force, which subjected a Roman Catholic clergyman to be hanged, if he celebrated marriage between two Protestants, or between a Protestant and a Roman Catholic.† By an act passed so late as 1793, there was a penalty of 500*l.* imposed upon Catholic clergymen celebrating marriages of this description.‡ It was supposed, and rationally enough, that this enactment virtually repealed the former bloody law. But that this is an erroneous construction has been declared by the late lord Kilwarden from the bench in several prosecutions under this act, in the year 1800.§

Catholic priests are liable to imprisonment, for not revealing secrets confided to them in the confessional‖—and are liable to be punished

* "But the Catholics were indebted, not only to the labours of their friends, but also to the great revolution which was going on at this period in America, for the success of the first concessions that were made to them. This appears very evident, from the failure of an attempt which was made by Mr. James Fitzgerald, a few months before the introduction of the act of 17, 18 Geo. III. to obtain for them a power *to take leases for lands for* 61 *years. For, soon afterwards, when the intelligence arrived of the defeat of the British forces in America, the same Parliament, on the recommendation of the government, passed an act for enabling them to take land on leases for* 999 *years.*"—Parnell, 122.

† "If a Catholic clergyman happens, though inadvertently, to celebrate marriage between two Protestants, or between a Protestant and a Catholic (unless already married by a Protestant minister) *he is liable by law to suffer death.*"—Statement of Penal Laws, 16.

‡ "And that every Popish priest, or reputed Popish priest, who shall celebrate any marriage between two Protestants, or between any such Protestant and Papist, unless such Protestant and Papist shall have been first married by a clergyman of the Protestant religion, shall forfeit the sum of 500*l.* to his majesty, upon conviction thereof."—*Idem*, 19.

§ "It was for some time supposed, that the former punishment of death for this offence was virtually mitigated to the penalty of 500*l.* by the fair construction of the last mentioned act, and had become merged in the new prohibition. However, the contrary doctrine has been adopted by high law authority, and in several cases, particularly in that of the king at the prosecution of surgeon B——, against the reverened Mr. G——, John Mac Dermot, and others—where *lord Kilwarden, chief justice of the King's Bench, declared publicly in full court, that this offence continues at this day to be punishable with death, under the Popery laws.*"—Ibid.

‖ "Catholic priests are liable to imprisonment for refusing, upon being interrogated in courts of justice, to divulge the secrets of private confession, confided to them by their penitents."—*Statement of Penal Laws*, 21.

"The late lord Kilwarden, chief justice, committed to jail a Catholic priest, the reverend Mr. Gahan, for contumacy of this nature. This occurred at the summer assizes of 1802, for the county of Meath, held at Trim, in the case of Mrs. O'Brien *v.* The Trustees of Maynooth college."—*Ibid.*

by civil action for excommunicating unworthy members of their own communion.*

The exclusions from public offices are to the last degree oppressive, and vexatious, and pernicious. By positive law, no person can be mayor, sovereign, portiff, burgomaster, bailiff, alderman, recorder, treasurer, sheriff, town-clerk, common council man, master or warden of any guild, corporation, or fraternity, or hold any such or like offices, in any city, walled town, or corporation in Ireland,† unless he takes the

* "The Catholic clergy are liable to be punished, by civil action for excommunicating unworthy members of their own communion."---*Idem*, 26.

† "It is difficult to enumerate all the municipal situations in the various cities and towns of Ireland, closed against Catholic industry and merit. In the city of Dublin alone we find the offices following, viz.

Lord mayor and aldermen	24
Sheriffs 2, sheriffs peers 38	40
Recorder and treasurer	2
Common council-men	96
Masters and wardens of guilds, about	84
Town clerks	2
	248

"Passing then to the other cities and corporate towns of Ireland, which may be reckoned at 150 in number, (as Cork, Limerick, Waterford, Belfast, Drogheda, Galway, Sligo, Derry, Cashel, Clonmell, Trim, Enniskillen, Wexford, &c. &c.) we may reasonably take the average number of Corporate offices in each at about 20: which probably falls far short of the real number, since the city of Dublin alone appears to produce nearly 250. *This average number of* 20 *offices to each of these* 115 *other corporations, gives the number of* 2300; and added to the number of 248 appearing in Dublin, will amount to a total of 2,548 corporate offices in Ireland, comprised within this positive proscription."---*Idem*, 94.

"Thus far do the words and letter of the law extend; but its spirit and necessary operation reach farther. They render inaccessible to Catholics the numerous lucrative situations dependent upon, and connected with, these corporate offices; the patronage, power, preference, and profits at their disposal. In the city of Dublin alone, the number of these dependant situations exceeds 200—including the entire police establishment and its officers, paving and lighting and pipe-water boards, commissioners of wide streets, court of conscience, grand jury, city surveyors, craners, collectors, clerks, secretaries, solicitors, agents, and the various petty offices of more or less emolument, derived from those boards.

"We may fairly estimate the number of 1,000 as not exceeding the amount of similar minor offices in the gift, or at the disposal of, the several corporate officers in the remaining cities and towns of Ireland. This number, added to the number of 200 to be found in the city of Dublin, will form a total of 1,200 offices in Ireland, from which the Catholics are excluded by the spirit and consequential hostility of those laws, which exclude them from corporate offices.

"Hence it will appear, that the gross number of offices and situations from which this class of penal laws excludes the Catholics, may be considered as amounting, directly and by express enactment, to

About	2,548
Consequently, to about	1,200
Total	3,748"---Statement of Penal Laws, 95.

"The class of exclusion, which we are now to consider, comprehends almost every desirable office in the profession or administration of the laws. The offices

oath of supremacy and certain other oaths, or unless the lord lieutenant for the time being shall think fit, by writing under his hand and seal, to dispense with his taking them. These oaths, being a full and complete abjuration of their religion, are an effectual exclusion of the Roman Catholics from all those offices. The saving clause of the lord lieutenant's dispensing power is wholly nugatory, as "*it does not, upon inquiry, appear to have been exercised in any one instance.*"—Statement of Penal laws, 92.

In corporate towns, Roman Catholics are uniformly excluded from

of this description, to which the Catholics are forbidden to aspire, by the letter of the statutes, are the following, viz.

Lord high chancellor, or keeper, or commissioner of the great seal	1
Master or keeper of the rolls	1
Justices of the king's bench	4
Justices of the common pleas	4
Barons of the exchequer	4
Attorney and solicitor general	2
King's serjeants at law	3
King's council (present number)	26
Masters in chancery	4
Chairman of sessions for the county Dublin	1
Counsel to the commissioners of revenue	2
Recorders of cities and towns, about	60
Advocates in spiritual courts, about	20
Sheriffs of counties	32
Of cities and towns, about	20
Sub-sheriffs	40
Total	224

"To this number may be added 25 commissioners of bankruptcy, and 31 assistant barristers, or chairmen of county sessions: for, although the Catholics are not, by the express letter of the law, disabled from holding these offices, yet in practice they are excluded, with scarcely a single exception."—*Statement of Penal Laws*, 112.

"The consequential operation of the exclusion of Catholics, from these offices reaches—naturally and necessarily—to all the beneficial subordinate situations. Such are those of registers to judges, and to vicars-general: secretaries, deputies, court officers, clerks of the crown, clerks of the peace, assistants in the various law offices, solicitors and treasurers to numerous public boards and establishments, agents, clerks to great public officers, &c. Of all these subordinate, but lucrative offices, we may reasonable estimate the actual number, as exceeding 1000."—*Idem*, 115.

Having recapitulated sundry other offices, such as proctors, advocates in spiritual courts, &c. &c. he proceeds:—"Thus there appears to be a total number of nearly 1500 offices, connected with the profession and administration of the laws—which are interdicted to the Catholics, either by the express letter, or by the necessary operation of the present penal code.

"Of the injury and degradation which this interdiction inflicts upon the Chatholic body, we need not offer stronger evidence than the fact of the interdiction itself. One hundred and sixty legal offices of honour and of emolument, are inaccessible to Catholic barristers, and open to Protestants. Thirteen hundred other offices are reserved solely for the ruling class, to the exclusion of Catholic students, solicitors, attornies, clerks," &c. &c.—*Idem*, 116.

grand juries, and very frequently from petit juries.* This was an awful feature of their situation, exposing them in many cases, particularly in the desperate conflicts between the different factions that prevailed there, to the tender mercies of their deadly enemies. The sheriffs, all Protestants, packed the juries: and innocence in such cases, must often pay the penalty of guilt, and atrocious guilt secure impunity, and come off with flying colours, as if it were immaculate innocence. Of the effect of this state of things my author draws the following picture, on which, considering the mode of ushering this work into the world, full reliance may be placed:—

"Verdicts have been frequently pronounced—*wholly contradictory to evidence—reprobated even by the sitting judges*—and not to be accounted for, otherwise than upon the marked principle of religious prejudices.

"Catholic prisoners are brought to trial upon charges affecting their lives: *the evidence failing, the crown lawyers abandon the prosecution, as untenable—the judge directs an acquittal: and yet, the jury finds a verdict of guilty!!!*

"Again. *Protestant prisoners, armed yeomen or soldiers, are prosecuted for gross outrages against the properties and persons of Catholics—for robbery—and murder. The evidence is clear and connected—the judge charges unfavourably—and yet, to the amazement of unreflecting spectators—the jury acquits instantly!!!*" —Idem, 226.

"We shall proceed to our enumeration of the offices not already classed or specified, viz.

Lord lieutenant, lord deputy, or other governor of Ireland	1
Lord high treasurer, or lords of treasury	8
Custodes rotulorum of counties	32
Governors of counties (present number)	85
Privy counsellors (present number)	100
Postmasters general	2
Chancellor of the exchequer	1
Secretary of state	1
Vice-treasurer	1
Teller or cashier of the exchequer	1
Keeper of the privy seal	1
Auditors-general	2
Provost of Dublin University	1
Fellows of the University	25
Officers	261

"The foregoing list of offices and situations of trust, emolument, or dignity from which the Catholics are excluded, by the express letter of the law, comprises about 261 in number. These disqualifications, too, have been re-enacted, so recently, as in the year 1793."—*Idem*, 135.

"Throughout the entire post-office establishment in Ireland, for instance, consisting of several hundred persons, there is scarcely a single Catholic to be found in a higher situation than that of a common letter carrier; and few of even this class. The like may be affirmed of the stamp office, bank of Ireland, and the other public boards and establishments of Ireland. Yet the far greater proportion of their salaries and emoluments is extracted from the labours, the industry, and the contributions of Catholics."—*Idem*, 136.

*"Whatever may be his wealth, his talents, or his services, he is uniformly refused a place upon grand juries within those corporate towns, and even upon petty juries, unless when the duty is arduous, and unconnected with party interests. He more than doubts of obtaining the same measure of justice, of favour, or respect from the mayor, recorder, alderman, tax-gatherer, public boards, &c. that is accorded to his Protestant neighbour."—*Idem*, 101.

Roman Catholic soldiers were liable to be, and frequently were ordered to attend divine worship in Protestant churches—and liable to corporal punishment if they attended in a Catholic chapel. The Roman Catholic soldiers who were fighting the battles of England in Spain, were refused the attendance of a Catholic clergyman.*

When a Roman Catholic neglected to appoint a testamentary guardian for his minor children, they were subject to have a Protestant guardian appointed over them, and to be brought up in the Protestant religion.†

* "Under this system the Catholic officers and soldiers might be compelled to attend personally at the celebration of the Protestant worship!! They might be forbidden to attend at Catholic houses of worship, or to receive spiritual assistance from the clergy of their own religion!! Such have been the regulations; such, frequently, has been the practice. The fact is notorious. This coercion excited universal dissatisfaction in the army, whether stationed in South America, Spain, Portugal, Sicily, Great Britain, or Ireland; numberless instances of it have occurred, and under every general officer, who held any command. *Even the late sir John Moore, one of the most enlightened and estimable men that ever wore a sword, was compelled by his instructions to enforce this code, and to refuse permission to Catholic clergymen to attend the Catholic soldiers of his army in Spain and Portugal.*

"The like coercion was rigidly applied to the Navy; nothing but Protestantism was there tolerated."—*Statement of Penal Laws*, 131.

† "This has been strongly exemplified; but especially in a case before lord Redesdale, chancellor, on the 18th July, 1804.

"It there appeared that a male infant, named Lyons, had in 1794 lost his parents—both Catholics. *Lord Clare in* 1795, *made an order nominating the maternal grandfather, the revered Dennis O'Connor, Esq. of Belinagar, to be the guardian;* who, as lord Clare well knew, professed the Catholic religion. Mr. O'Connor, having duly qualified, acted as guardian for several years, educating the child in the religion of his parents. In February 1804, *the maternal grand-uncle, who had a claim upon the estate of this child! petitioned lord Redesdale for the removal of Mr. O'Connor—and upon an ex-parte suggestion, (of which Mr. O'Connor was unapprised,) he obtained a summary order for that purpose!* Mr. O'Connor having been thus displaced—the child, (then aged about ten years,) was immediately removed from the Catholic school to the Protestant school in England.

"An application was made to the chancellor by motion in court for reinstating Mr. O'Conner in the guardianship, and setting aside the order of February, 1804, as obtained by surprise, and upon erroneous suggestions.

"The grounds upon which this application was resisted, and successfully, were exclusively those of public policy and favour towards the established religion. It was insisted by Mr. Saurin, attorney-general, and other law officers, "That the chancellor was bound by the situation which he held, to favour the diffusion of the religion of the state---that he had no discretion in this respect---that acting, as he was, under a Protestant establishment, and conformably to the policy, that had long prevailed in Ireland, without being fettered or controlled by any statute to the contrary, he could have but one idea upon the subject. *A Protestant the child should be, for his spiritual good, for the Protestant religion is the only right one!*—and a Protestant he should be for his temporal interest also, by reason of those penal laws and restrictions which still continued in force against Catholics!! Every man who was friendly to the Protestant establishment, must lean towards the Protestant faith, and endeavour to strengthen and augment the number of its adherents—and that for these reasons Mr. O'Connor ought not to be reinstated in the guardianship of the child.

"Lord Redesdale, concurring in these and similar principles, *refused to reinstate Mr. O'Connor, or restore the child to the Catholic school;* and ordered that one of the masters should continue guardian of the child, as if he were Protestant."—*Statement of Penal Laws*, 282.

The Catholics were precluded from bequeathing any sum of money or any lands for the maintenance of a clergyman, or the support of a chapel or school.*

The exclusion of the Roman Catholics from parish vestries, which originated in the year 1725, operated probably as grievously, and taxed them as heavily as any law or regulation in society, in consequence of the extraordinary powers of those vestries. They had power to order all repairs and alterations and additions that they might judge proper in churches—and to apportion the quota of each parishioner according to their discretion, affording a boundless field for favouritism on one side, and for oppression on the other. In many cases, for their own accommodation and that of their friends, they ordered unnecessary and most expensive repairs and alterations, to make lucrative jobs! Thus Roman Catholics had not only to pay tithes for the support of the Protestant clergy, but to pay in many cases fourfold their proper quota of the expenses for the repairs and alterations of the Protestant churches!!

This would be a severe oppression under any circumstances—but the grievance was much aggravated in consequence of the very great disproportion of numbers between the Roman Catholics and the rest of the community. The former were about six times as numerous throughout the island, as all the other denominations united. In certain parts of Connaught and Munster, they were twenty or thirty or forty for one. A parish in some of those parts, containing 10,000 inhabitants, might not have more than 2, 3, 4 or 500 Protestants, young and old, male and female: and this fragment of the people had the uncontrolled power to tax their fellow-subjects for the repairs and embellishments of churches which the latter not only never attended, but could not conscientiously attend!!†

* "The law forbade the permanent endowment of any Catholic clergyman, house of worship, school house, or other pious or charitable foundation for Catholics."—*Idem*, 41.

† "The powers of a parish vestry are various and extensive. To incur heavy expenses on the part of the parish; to levy large sums of money upon the houses, lands, and persons of the inhabitants at large; to apportion those sums upon individuals, and to apply them at their discretion, unexamined and uncontrolled; to transact generally the local business of the parish: these are amongst the powers, vested in such persons as legally constitute a vestry.

"They were authorised, and indeed bound, to repair the whole church; to provide seats and benches, communion table, pulpit, reading desk, chalices and other vessels for the communion, basin for the offertory, font, bells, biers for the dead, bibles, large and small, books of common prayer, register book, and various other books and accommodations: to fence and preserve the church-yard; to provide a yearly salary of 20*l.* for the parish clerk, &c. &c.

"By common law, if an old church was to be rebuilt, or a new church was so small as to need being enlarged, a parish vestry (having first received the bishop's consent, and meeting upon due notice) might make a rate *at their discretion*, for rebuilding or enlarging it, as they might think proper.

"By statutes, the lord lieutenant and privy council, archbishops or bishops, might order new churches to be built in better places: and when the site was to be so changed, the consent of the majority of *Protestant* parishioners, in vestry assembled, was sufficient to assess *any rate without limit*, for building the new church.

"They might also convert a parish church into a cathedral; and, *vice versa*, a cathedral into a parish church: and *levy any rates for those purposes*.

"By statute, also, archbishops and bishops might erect new churches, *as they*

To render this state of things more grievous, landlords, or landowners were exempt from paying any part of the rates. *The occupying lessee was, by statute, obliged to pay them—and those lessees were generally Roman Catholics.*—Statement of Penal Laws, 149.

My limits forbid me to proceed further, and therefore I cannot enumerate a variety of other exclusions, disqualifications, and penalties, to which the Catholics of Ireland were till lately subject, and to which the protestant ascendency clung with all the tenacity with which unjust power is eternally grasped by oppressors. I have given enough to show how utterly destitute of foundation was the opinion generally prevalent of the state of the oppressed Catholics—how illiberal and unjust their oppressors were—how grievous their sufferings—and how imperious the call on all liberal-minded men in the three kingdoms, to unite their exertions to remove every remaining portion of the vile code from the Irish statutes, and restore the mass of the nation to their rights, so long and so unjustly withheld.

thought fit; and new parishes might be attached to such new churches, in case the former parish churches were thought too small or too distant, (*of which the Protestant parishioners were to be sole judges.*)—Idem, 145.

CHAPTER XXXVII.

Great natural advantages of Ireland. Soil. Climate. Harbours. Rivers. Lakes. Mines and Minerals. Fisheries,

"And sure *it is a most beautiful and sweet country as any is under heaven*, being stored throughout with many goodly rivers: replenished with all sorts of fish most abundantly; *sprinkled with many very sweet islands and goodly lakes, like little inland seas*, that will carry even shippes upon their waters; adorned with goodly woods even fit for building of houses and ships, so commodiously, as that *if some princes in the world had them, they would soone hope to be lords of all the seas, and ere long of all the world; also full of very good ports and havens opening upon England*, as inviting us to come unto them, to see what excellent commodities that country can afford, besides *the soyle itselfe most fertile, fit to yeeld all kinde of fruit that shall be committed thereunto.* And lastly, the heavens most milde and temperate, though somewhat more moist in the parts towards the west."—SPENCER, p. 28, Anno 1590.

"I have visited all the provinces of that kingdom in sundry journies and circuits, wherein I have observed the good temperature of the air, the fruitfulness of the soil, the pleasant and commodious seats for habitations, the safe and large ports and havens lying open for traffic into all the west parts of the world; the long inlets of many navigable rivers; and so *many great lakes and fresh ponds within the land, as the like are not to be seen in any part of Europe: the rich fishings and wild fowl of all kinds; and lastly, the bodies and minds of the people endued with extraordinary abilities by nature.*"—SIR JOHN DAVIES, p. 1. Anno 1616.

"Ireland is, in respect of its situation, the number of its commodious harbours, and the natural wealth which it produces, *the fittest island to acquire riches of any in the European seas;* for as by its situation it lies the most commodious for the West Indies, Spain, and the northern and east countries, so it is not only supplied by nature with all the necessaries of life, but can over and above export large quantities to foreign countries; in so much that *had it been mistress of a free trade, no nation in Europe of its extent, could in an equal number of years, acquire greater wealth.*"—BROWN'S Essays on Trade, Anno 1728.

THE most important natural advantages which nations enjoy, may be comprised under the heads—fertility of soil—salubrity of climate—capacious harbours fitted for external commerce—advantageous intersection for internal trade by rivers—valuable mines and minerals—and productive fisheries.

I propose to show that those advantages have been so liberally bestowed on Ireland by a bounteous heaven, that nothing but the most horrible and blighting policy could have prevented her from enjoying as high a degree of happiness as ever fell to the lot of any nation.*

"That Ireland greatly surpasses her sister country, England, in the aggregate of the endowments of nature, is abundantly obvious. And it may fairly be questioned whether the latter, actually abounding in wealth beyond any other country in Europe, *can boast of any one natural advantage, which the former does not possess in a superior degree.*"—NEWENHAM, 86.

* For the contents of this chapter, I am almost entirely indebted to a most excellent work of Thomas Newenham, entitled "A View of the Natural, Political, and Commercial Circumstances of Ireland." From Arthur Young I have likewise borrowed freely.

Soil.

With respect to soil, Ireland is blest in the highest degree. Arthur Young, an English traveller, who devoted half his life to agricultural inquiries and investigations, has pronounced sentence on this point, from which there is no appeal. He says that "natural fertility, acre for acre, over the two kingdoms, is certainly in favour of Ireland,"—and further, that in proportion to the size of the two countries, Ireland was, when he wrote, much more cultivated, having much less waste land of all sorts.*

Ireland, likewise, exceeds France in the proportion of cultivated lands; considerably more than two-thirds of the former being cultivated; whereas there are less than two-thirds of the latter.*

* "To judge of Ireland by the conversation one sometimes hears in England, it would be supposed that one-half of it was covered with bogs, and the other with mountains filled with Irish, ready to fly at the sight of a civilized being. There are people who will smile when they hear that *in proportion to the size of the two countries, Ireland is more cultivated than England, having much less waste land of all sorts. Of uncultivated mountains there are no such tracts as are found in our four northern counties, and the North Riding of Yorkshire, with the eastern line of Lancaster, nearly down to the peak of Derby, which form an extent of above a hundred miles of waste.* The most considerable of this sort in Ireland are in Derry, Galway, and Mayo, and some in Sligo and Donnegal. But all these together will not make the quantity we have in the four northern counties; the vallies in the Irish mountains are also more inhabited, I think, than those of England, except where there are mines, and consequently some sort of cultivation creeping up the sides. ☞ *Natural fertility, acre for acre, over the two kingdoms, is certainly in favour of Ireland;* of this I believe there can scarcely be a doubt entertained, when it is considered that some of the more beautiful, and even best cultivated countries in England, owe almost every thing to the capital, art, and industry of the inhabitants."—Young, II. part ii. p. 3.

"The traveller who hastens through Ireland as most British tourists do, and beholds its richest pastures overgrown with thistles, fern, ragwort, and other weeds, will find it difficult to believe that its soil is much more fertile than that of the highly cultivated fields of England. "You must examine into the Irish soil," adds Mr. Young "before you can believe, that a country which has so beggarly an appearance, can be so rich and fertile."—*Idem, II.* 147.

"*If I was to name the characteristics of an excellent soil, I should say that upon which you may fat an ox, and feed off a crop of turnips. By the way I recollect little or no such land in England, yet it is not uncommon in Ireland.*"—Young, II. 211.

"In the statistical survey of the county of Meath, it is stated that the lands of Diamer in the barony of Fowre are so very rich that the first 10 or 12 crops are quite useless, running to straw, and lodging; that 50 bullocks of 8 cwt. were fattened on 48 acres of the lands of Skreene; and that in the year 1800, which was very dry and unfavourable, 76 cows and two bulls were supported on 77 acres."—Newenham, 81.

"In at least 18 out of 32 counties, there are tracts of land, which, *for the most part, are not to be surpassed in natural fertility by perhaps any other land in the world.* And to an equality with these, it is certain that a vast proportion of the remaining bogs might easily be brought."—*Idem*, 82.

* "That Ireland surpasses France, in the proportion of her cultivated land, is sufficiently confirmed by the concurren statements of Mr. Young and others, who have

Of the unreclaimed lands of other countries, a large portion is wholly unfit for cultivation; whereas, the greater part of those in Ireland may be easily reclaimed and rendered highly productive.*

One striking advantage Ireland possesses, probably in a degree beyond any other country. The rocks and mountains, which elsewhere, are generally bare, or covered only with useless weeds or wild shrubs, are in Ireland, clothed with luxuriant verdure.†

In no part of the bounties of nature as regards soil, is Ireland more fortunate, than in the superabundance of manures of almost every kind, and of the very best quality.‡

made the soil of the latter a subject of their researches. Mr. Young's distribution of the land of France is as follows, viz:

	Acres.
Arable and Lucerne	75,000,000
Meadows	4,000,000
Vines	5,000,000
Total of cultivated land	84,000,000
Woods	19,850,000
Wastes	27,150,000
Total of uncultivated land	47,000,000

or upwards of one-third of the whole."—Newenham, 65.

* "A vast proportion of the unreclaimed land of other countries is almost utterly unproductive, or completely sterile; a vast proportion of the unreclaimed land of Ireland is undoubtedly the contrary. In other countries the operation of reclaiming requires considerable skill; and in most instances is attended with immense expense. In Ireland, where nature is rather to be assisted than overcome, it requires but little skill; and the attendant expense, if viewed in conjunction with the future permanent profit, is scarcely sufficient to deter the most timid speculator. In most other countries, the natural means of fertalizing such land as has been prepared by any expensive process for the plough, are extremely scanty: in Ireland they are almost every where found in the greatest abundance and perfection."—*Idem*, 66.

† "In most of the mountainous districts of Ireland, 5000 acres will be found to yield more and better food for cattle than 100,000 in many parts of Scotland and Wales!.! The Irish mountains are entirely different from those of the countries just mentioned. Herbage of some sort or other grows on the very summits of some of the loftiest in Ireland; but in Scotland, and for the most part in Wales, cattle stray from their pasture as they ascend the mountain's brow. The peculiar tendency of the Irish soil to grass is such, that the mountainous land yields good sustenance to prodigious droves of young cattle."—Newenham, 66.

"The mountains of Ireland are the principal nurseries for those immense herds of bullocks and cows which are fattened or fed on the luxuriant low lands; and almost the only nurseries for those which are annually exported to England, and of which the number in four years, ending 5th January 1804, amounted to 106,578, worth, according to the prices current in that year, 1,044,464*l*. The number exported in two years, ending 5th January 1800, was 54,115."—*Idem*, 67.

"If as much rain fell upon the clays of England, (a soil very rarely met with in Ireland, and never without much stone,) as falls upon the rocks of her sister island, those lands could not be cultivated. But *the rocks here are clothed with verdure. Those of limestone, with only a thin covering of mould, have the softest and most beautiful turf imaginable!*"—Young, II. part ii. 3.

‡ "In those parts of most countries which are remote from large towns, the cultivation of a farm, owing to a deficiency of good natural manures, must, in general, be proportionate to the stock of cattle kept thereon. But in Ireland where such manures almost every where abound, the dung of cattle is not indispensably requisite to the progress of agriculture; and accordingly much less attention is paid to its collection

Climate.

The climate of Ireland is remarkable for its mildness, particularly in the southern province, where the fields generally afford pasturage for the cattle during the winter. They are rarely housed.* The severity of that season, experienced in most other countries of so high a latitude, is here almost altogether unknown. Snows and ice, to any considerable extent, are rarely experienced.†

The chief disadvantage under which Ireland labours, is the excessive

than is observable in other countries. Labour and skill alone will render the lands of Ireland fertile in the extreme; but the labour and skill of man require in most other countries, an additional agent for producing this effect. Mr. Young tells us, that on the coast of Mayo, where sea and other manures are in plenty, "the common people let their dunghills accumulate till they become such a nuisance that they remove their cabins to get rid of them." He says likewise, and the fact is well known, that the dung of the city of Limerick was generally thrown into the river Shannon."—NEWENHAM, 73.

"With the exception of the counties of Wexford, Wicklow, Tyrone, and Antrim, limestone is found in the greatest abundance, in every county of Ireland; as is also, with the exception of a few counties, that incomparable manure, limestone gravel. White, grey, and blue marls, of the best quality, are likewise found in most of the counties, and compensate in some of them, especially in Wexford, for a deficiency of lime."—NEWENHAM, 74.

"The seacoasts, likewise, from which, by the way, no part of Ireland is at a greater distance than 50 miles, furnish an inexhaustible supply of manures. Coral sand, a manure of superior value, is found on the south coast in Baltimore bay; on the south-west coast in Bantra bay; on the west coast in Tralee bay, Clew bay, Roundstone bay, Kilkerran harbour, and Galway bay; on the north coast in Mulroy harbour; on the east coast of Brayhead, in the county of Wicklow, and in other places. Shelly sand, which nearly equals the coral in effect, is found on the south-west coast in Dunmanus bay; on the east coast, near Burr Island, in Red Bay, and in many other parts of the same coast. Sea weeds, sea sand of different colours, and sea ooze, are found in abundance all round the coast; and, except the last, which has lately been found to be a very good manure, are every where used, with excellent effect, by the farmers who live within five or six miles of the coast."—*Idem*, 75.

* "A very great proportion of the fat cattle sent to Waterford, Limerick, and Cork, are never housed. The cattle slaughtered in the market of Cork, in the months of February and March, with the exception of those fattened at the distilleries, are eight out of ten, fattened wholly on grass. The dairy cows in the province of Munster are never, through downright necessity, housed. In a part of the county of Kerry the people often leave their potatoes in the beds without additional covering during the winter; and they have been known to obtain two crops of corn from the same land within a year."—*Idem*, 41.

† "In respect of mildness and equability, qualities of a very advantageous nature, the climate of Ireland is surpassed by very few, if by any other in Europe. At a time, when in consequence of the unreclaimed and uncleared state of the country, the climate must necessarily have been inferior to what it now is, Giraldus Cambrensis spoke of it in the following terms, "Terra terrarum temperatissima, nec cancri calor exæstuans compellit ad umbras, nec ad focos capricorni rigor invitat, aeris amœnitate temperieque tempora fere cuncta tepescunt." Its general mildness, indeed, is such, that, except in the northern counties, the rich pastures, or those which have been fairly treated, exhibit in the midst of winter, the most beautiful verdure imaginable, affording sustenance to cattle throughout the year. The rigours of the winter, which, together with the scantiness of natural manures, render the beast house and foddering yard primary objects of the farmer's attention, in other countries, are seldom, and in few parts, experienced in Ireland. And accordingly, there is not a country in Europe, north of the Alps, where places for the accommodation of cattle are so rarely to be found."—*Idem*, 40.

rains which prevail there, and sometimes injure the harvests, and defeat the hopes of the husbandman. This moisture of the climate would, *a priori*, lead to an opinion that it was injurious to health. But experience, the unerring test of theories, overturns this doctrine, how plausible soever it might appear. There is no nation more robust or hardy.*

Harbours, Rivers, and Lakes.

Ireland is as highly endowed by nature with these very important means of promoting national wealth, power, and resources, as in any other respect whatever; and, in proportion to its extent, does not yield to any nation in the world in this respect. The coast is so copiously indented with harbours, that they lie almost universally within a few miles of each other.†—[Newenham, 8.] They are, with scarcely an exception, superior to those of England.‡

The rivers are uncommonly numerous.§ The country was surveyed some years since, with a view to internal improvement by canals; and thirty-two rivers were found, capable of being rendered navigable at an expense not exceeding ten shillings sterling per head of the population of the island.‖

* "The humidity of the Irish atmosphere proves by no means injurious to the health of the inhabitants; on the contrary, it being generally accompanied by an increased agitation of the air, they enjoy better health, during the prevalence of the wet winds which blow from the Atlantic ocean, than at other times."—*Idem*, 43.

† "Taking one district with another, there is a harbour, or safe anchoring place, to about every 150 square miles, or every 96,000 acres."—*Idem*, 8.

‡ "There *are not twenty harbours in England and Wales* which can be *classed with forty of the best in Ireland:* nor, with perhaps the single exception of Milford, which is about seven miles long and one broad, with from four to thirteen fathoms on a bottom of mud, is there one in the former, which can, in almost any respect, be compared with the best ten in the latter; and if the safe anchoring places be added to the harbours of each country, Ireland will rank above England, not only in capaciousness, safety, and proportionate number of harbours, but likewise in the general number of places for the accommodation of shipping, there being one hundred and thirty-six harbours and anchoring places belonging to the former; and, as far as appeared by the charts which the writer has examined, only one hundred and twelve to the latter."—*Idem*, 14.

§ "So numerous are the rivers of Ireland, in proportion to its size, and so abundant the supply of water, that we may safely say, almost every parish might enjoy the benefits of internal navigation, at an expense which, one place with another, many a company of British undertakers would disregard, and that very few parts of Ireland, comparatively speaking, would be found ineligible for the establishment of manufactures through a deficiency of water, or the want of water-carriage. Of 248 mills for grinding corn, erected in Ireland between the years 1758 and 1790, every one, as far as the writer can learn, is turned by water. Windmills are in no country less common, or less necessary, than in this."—*Ibid.*

‖ "Thirty-two rivers were found, by *actual survey*, to be fit and capable of being rendered navigable, whereof the united lengths, in addition to that of the Shannon, and those of the projected canals, exceed one thousand miles.

"Had the proposed works, therefore, been carried into effect, ten thousand square miles, or 6,400,000 acres, would, at furthest, have been within five miles of some navigable river or canal. And if to this be added the sinuous line of the Irish coast, comprising 1737 miles, it will be seen that 18,685 square miles, or 11,958,400 acres, which constitute almost two-third parts of the area of Ireland, would have lain within

After having enumerated eighteen rivers, the Shannon, the Barrow, the Suir, the Nore, the Blackwater, the Slaney, the Bann, the Boyne, &c., the writer proceeds:

"In respect of navigable rivers, as well as relative situation and harbours, Ireland certainly has the advantage of England. If the best eighteen rivers in the latter be duly compared, in every particular, with those which have just been imperfectly described, the inferiority of the English rivers, upon the whole, will be clearly perceived. The Thames; the Severn, the Humber, the Medway, the Dee, the Mersey, the Lon, the Orwell, the Yare, and the Ribble, have all of them, sand-banks at their entrance, which, except in the instance of the Slaney, is not the case with any of the Irish rivers; and which render the navigation in those important parts, intricate, and, in some instances, dangerous. Their streams are not, for the most part, near so copious, nor do they flow through such extremely fertile land, as the rivers of Ireland. The Tweed, Tyne, Tees, Were, Wye, and Avon, are, no doubt, fine rivers; but in several respects they will be found to fall short of a considerable number of those of which Ireland can boast."—NEWENHAM, 25.

The island is, moreover, studded with lakes, many of which afford an easy communication with the seas which surround the coast, and all of which might be rendered highly instrumental in promoting the national prosperity.*

Mines and Minerals.

There is probably not a country in the world, which, for its extent, is one-half so abundantly supplied with the most precious minerals and fossils as Ireland.† The enumeration made by Newenham,‡ as stated

five miles of sea, river, or canal; and three millions of money, faithfully and skilfully expended, would probably be more than sufficient for the purpose."—*Idem*, 27.

"In addition to a vast number of rivers, several of them navigable, many of them considerable, which lose themselves in others, in the interior parts of the country, there are in Ireland, exclusive of small streams, one hundred and twenty-five which flow directly and immediately into the sea, or its different inlets.

"The maritime counties comprise two-thirds of the land of Ireland. Each of them has from two to twelve of the rivers in proportion to the extent of its seacoast, nor, with the exception of Wicklow, is there one of them which has not the advantage of one or more rivers, either actually navigable, to a very considerable distance from the sea, or capable of being rendered so at a moderate expense.—NEWENHAM, 18.

"Many of the inland counties likewise participate this advantage with those on the coast. Indeed there is not one of them which might not be rendered capable of enjoying it."—*Ibid.*

* "The lakes of Ireland which discharge their superfluous waters immediately into the sea, may also be considered, with reference to the benefits of commerce, as extremely important advantages. Of this description are loughs Neagh, Earne, Corrib, Conn, Nallenroe, Melvin, Arrow, Lilly, Rapharn and Furran, Ballinahinch lough, the lake of Killarney, or Lough Lane, and several others of inferior note."—*Idem*, 28.

† "There is not a county in Ireland which does not contain some valuable mineral or fossil; several of them, it is now ascertained, abound with treasures of this sort; and these, for the greater part, are most happily situated for the exportation of their products, either in a rude or manufactured state."—*Idem*, 45.

‡ "The following account, drawn from the statistical surveys of 17 counties, the writings of Dr. Smith, the specimens in the museum of the Dublin Society, the communication of Mr. Donald Stewart, itinerant mineralogist of that society, and from the information of others, will serve, notwithstanding its deficiency, to give a sufficient view of the minerals and fossils of Ireland.

"Armagh contains lead, ochres of different colours, and various beautiful marbles.

"Antrim contains coal and gypsum in abundance, beautiful chrystals, pebbles, and different sorts of ochres.

in the annexed note, must excite the astonishment of the reader, who could not possibly have conceived the extent to which nature had car-

"Carlow contains granite, talk, marbles, chrystals, and ochres.

"Cavan contains fine lead ore, iron, coal, ochres, clay, fuller's-earth, sulphur, copper, silver, and jasper.

"Clare contains lead, iron, copper, coal, and beautiful spars like those of Derbyshire.

"Cork contains lead, iron, copper, coal, fine slate, extremely beautiful marbles of a great variety of colours, petrifactions, brown and yellow ochres, excellent potter's-clay, and amethysts of great beauty.

"Donegal contains rich lead ore, immense quantities of different sorts of clays, coal, silicious sand, manganese, iron, beautiful granite, chalcedony, marble resembling that which is called statuary marble, and granites.

"Down contains iron, fuller's-earth, soap-stone, rich lead, marbles of different sorts, chrystals, granite, copper, and very fine slate.

"Dublin contains copper, lead, ochres of different colours, potter's-clay, beautiful pebbles, chrystals, and porphyry.

"Fermanagh contains rich iron ore and coal.

"Galway contains rich lead, chrystals, pearls, and marbles of superior beauty.

"Kerry contains abundance of rich copper, lead, beautiful marbles of various combinations of colours, cobalt, chrystals, pearls, and amethysts.

"Kildare contains marbles of different colours, which bear a higher polish than those brought from Italy,

"Kilkenny contains iron, coal, ochres, pipe and potter's-clay, marbles (some of them singular and beautiful), granite, and jasper.

"King's County contains a silver mine near Edenderry, but not worked these 40 years.

"Limerick contains iron, copper, lead, coal, and fine slate.

"Londonderry contains iron, copper, lead, abundance of chrystals, beautiful pebbles, and petrifactions found near Lough Neagh, granite, and handsome marbles.

"Leitrim contains inexhaustible stores of iron and coal, copper, blue, green, yellow, pale red, and crimson-coloured clays, fuller's-earth, and garnites.

"Longford contains great variety of marbles, ochres, lead, fine slate, extremely rich iron ore, and jasper.

"Louth contains ochres and fuller's-earth.

"Mayo contains abundance of iron ore, ochres, granite, coal, slate of a superior quality, beautiful black marble without speck, and manganese.

"Meath contains ochres, and rich and abundant copper ore.

"Monaghan contains iron, lead, manganese, coal, marble, fuller's-earth, and antimony.

"Queen's-county contains iron, coal, copper, marble, ochres, fuller's-earth, and potter's-clay.

"Roscommon contains ochres, coal, iron, and marble exhibiting the petrified skeletons of different animals, and bearing a very high polish.

"Sligo contains iron, copper, lead, coal, fine clays, talk, silver, and, in abundance near the coast, a stone which bears a high polish, and is called serpent stone, from figures which it exhibits resembling the skeletons of these animals.

"Tipperary contains rich and abundant copper and lead mines, coal, silver, plenty of fine slate, clays, and the most beautiful marbles.

"Tyrone contains iron, and plenty of good potter's-clay.

"Waterford contains copper in abundance, iron, ochres, handsome pebbles, and, near the harbour, a most beautiful green and black marble.

"Westmeath contains copper, lead, coal, and handsome yellow and dove-coloured marbles.

"Wexford contains lead, copper, iron, marble, ochres, and a blue earth,

"Wicklow contains chrystals, sulphur, manganese, copper in abundance, garnite,† lead, tin, and several other metallic substances, including gold.

† Decayed granite used in the manufacture of porcelain.

ried her bounties in this department, in which she has been liberal to a degree of prodigality.*

Fisheries.

For this inexhaustible source of wealth, Ireland is admirably situated —and, with proper encouragement, it might have been carried to an extent of national and individual benefit ten-fold what it has ever produced. Thousands of her superfluous population might find employment in it, to their own advantage and that of the nation. But no adequate pains have ever been taken to cultivate even those advantages which Ireland might enjoy without interfering with the monopolizing spirit of England.†

"By this account, incomplete as it is, Ireland appears to contain the following 30 different sorts of minerals and fossils, viz.

2. Amethysts.	2. Garnites.	4. Pebbles.
1. Antimony.	7. Granite.	2. Petrifactions.
15. Coal.	1. Gypsum.	1. Porphyry.
1. Cobalt.	19. Iron.	1. Silicious sand.
17. Copper.	2. Jasper.	3. Silver.
1. Chalcedony.	16. Lead.	6. Slate.
8. Chrystals.	2. Manganese.	1. Soap-stone.
9. Clays of various sorts.	19. Marble.	1. Spars.
5. Fuller's-earth.	15. Ochres.	2. Sulphur.
1. Gold.	2. Pearls.	2. Talk.

"The figures prefixed to the different minerals and fossils, denote the number of counties in which they have been discovered."—Newenham, 45.

"The gold mine at Croghan, in the county of Wicklow, began to attract attention about the year 1795. According to a calculation made on the subject, the sum of 10,000*l.* was paid, at the rate of 3*l.* 15*s.* per ounce, to the country people, for the gold which they collected. Before the government took possession of the mine, there was found one piece of gold which weighed 22 ounces, and which is believed to be the largest ever found in Europe. From the commencement of the works to June, 1801, there were found 599 ounces of gold."—*Idem*, 49.

* "Mr. Lawson, an English miner, stated in evidence before the Irish house of commons, that the iron-stone at Arigna lay in beds of from three to twelve fathoms deep; and that it could be raised for two shillings and sixpence the ton, which is five shillings cheaper than in Cumberland; that the coal in the neighbourhood was better than any in England, and could be raised for three shillings and sixpence the ton; and that it extended six miles in length, and five in breadth. He also stated that fire-brick clay, and free-stone of the best qualities, were in the neighbourhood, and that a bed of potter's clay extended there two miles in length, and one in breadth. Mr. Clarke, on the same occasion, declared that the iron-ore was inexhaustible. And our distinguished countryman, Mr. Kirwan, whose opinions on mineralogical subjects few will attempt to refute, affirmed that the Arigna iron was better than any iron made from any species of single ore in England."—Newenham, 50.

† "There is scarcely a part of Ireland but what is well situated for some fishery of consequence; and her coasts and innumerable creeks and rivers' mouths are the resort of vast shoals of herrings, cod, ling, hake, mackerel, etc. which might with proper attention be converted into funds of wealth."—*Idem*, 52.—Young, II. p. ii. 186.

"In 1784, there were 514 vessels engaged in the Irish fishery, giving employment to 3723 men and boys."—Newenham, 53.

"The salmon fisheries of Ireland are, in proportion, infinitely more numerous and productive than those of any other country, the natural history whereof has fallen into the writer's hands. In various parts of Ireland, remote from each other, he has seen from 10 to 30 fine salmon taken at one drag. Mr. Daniel states that 1,452 salmon were taken at one drag in the river Bann, in the year 1780; and 882 in like

Materials for Roads.

In this respect nature has been as bountiful to Ireland, as in any of those previously enumerated.*

manner, in the year 1788: that the salmon fishery there lets for 6000*l.*, and the eel fishery for 1000*l.* a year."—*Idem*, 54.

"The general price of the salmon at the Bann is 4*d.* per pound; at Ballyshannon in the Earne less; and during the last lent, the Roman Catholic miners, employed at the copper mine near Killarney, paid but 2*d.* per pound, and were amply supplied."—*Ibid.*

* "In respect of materials for the construction of smooth and durable roads, no country in the world can be more happily circumstanced than Ireland. With the exception of four or five counties, lime-stone, which is one of the best materials, is found in most districts in the greatest abundance; as is also, with the same exception, that incomparable material, lime-stone gravel. Roads, properly repaired with these materials, ought, though much frequented, to last at least ten years. The writer knows, by experience, that they may be made to last fifteen."—*Idem*, 29.

CHAPTER XXXVIII.

Blighting and withering policy of England towards Ireland. Lord Strafford's destructive project. Illiberal addresses of the English parliament to king William. Woollen manufacture crushed. Silk manufacture. Glass manufacture. Duties in England and Ireland.

"Under the paralysing effects of the mercantile spirit, the legislature of Britain really treated the people of Ireland, *unprotected as they were by an independent parliament*, or rather *wantonly and treacherously exposed to ill treatment by a dependent or mercenary one*, much worse than that legislature did or could have treated the people of any of those countries, with which, in the vicissitudes of politics, it might frequently be engaged in war."—NEWENHAM, 106.

"*To cramp, obstruct, and render abortive the industry of the Irish, were the objects of the British trader. To gratify commercial avarice, to serve Britain, at the expense of Ireland, or to facilitate the government of the latter*, were the varying objects of the British minister. To keep down the Papists, cost what it would, and to augment their own revenues by the public money, instead of urging the adoption of wise, liberal, and patriotic measures, calculated to quadruple the rents of their estates, were the objects of the reputed representatives of the Irish people; and, to secure themselves from retaliation on the part of the Roman Catholics, whom *they were encouraged to persecute, and taught to dread*, was the general object of the Irish gentry."—*Idem*, 97.

"Almost all the acts affecting the trade and manufactures of Ireland, which passed in the British and Irish parliaments, anterior to 1799, except those in the latter, which related to the linen manufacture, will be found to aim at *promoting the commercial welfare of Britain, exclusively; at restricting the trade, and suppressing the manufactures of Ireland; or, at precluding all commercial reciprocity between the two countries*."—Idem, 120.

IT has been established in the preceding chapter, that Ireland is blest by nature in as high a degree, as any country in the world, without exception. If she be excelled by some in a more genial climate, this disadvantage, the only one of importance under which she labours, is amply compensated by various advantages, from which some of those nations whose climate is preferable, are debarred. Let other countries most highly favoured by nature, be successively compared with her, and the soundness of this position will appear incontrovertible. It might be supposed that such transcendent blessings being lavished on Ireland, she must enjoy as high a degree of happiness as any other country whatever. But this calculation would be miserably erroneous. It will appear, from the sketches I shall give in the next chapter, that the Irish peasantry are in as wretched a state as any people in Europe, perhaps in the world—and indeed more wretched than nine-tenths of the peasantry on the surface of the globe.

The question is, how such a blessed tree should produce such bitter fruit—how such masses of wretchedness could be shed over a land so transcendently favoured?

The answer is obvious. The monopolizing spirit of England has pressed, like an incubus, on the sister island, blasted all its blessings, and entailed on it unutterable woes. Whenever the interests of the

whole Irish nation came in collision even with those of a single city, town, or corporation in England, they were offered up a sacrifice on the altars of avarice and cupidity without remorse and without control. Of course, in every case, when the great national interests on both sides interfered, those of the Irish were unfeelingly devoted to destruction.

Throughout the whole career of the connexion, there has scarcely been one measure adopted on the part of England towards Ireland with the semblance of a magnanimous policy, except when forced from her fears during the American revolution.

Lest these positions should appear overstrained and the result of prejudice, I deem it necessary to fortify them by incontrovertible English and Irish authorities, which cannot fail to impose a reluctant silence on the spirit of cavil.

"The object of that species of policy which the British government had exercised towards Ireland, had been *to debar her from the enjoyment and use of her own resources, and to make it completely subservient to the interest and opulence of Britain.*"—NEWENHAM, 89.

"In reviewing the different acts of the parliaments of Britain and Ireland, which affected the trade of the latter, it will be found that *the trade of a distinct kingdom, the trade of an essential part of the British empire, was unsuitably, unjustly, unwisely, and oppressively limited, like that of a colony; that the prosperity of Ireland was always sacrificed to that of Britain; that, with the exception of the linen, every valuable manufacture established in Ireland, or of the establishment or even introduction whereof there was any prospect, and which was likely to become in any degree a competitor, either in the home or foreign market, with a similar one undertaken in Britain, however insignificant, was industriously depressed;* that the Irish were invariably obliged to give the preference to the produce of British industry; that, with the foregoing exception, no manufacture of Ireland was fairly received by Britain; that downright necessity, alone, occasioned the admission of even the rude produce of the former into the latter; that the acts of the Irish parliament, which affected to aim at internal improvements, calculated to enlarge the trade of the country, or which purported to be for the advancement of any lucrative species of enterprize, were, for the most part, merely illusive."—*Idem*, 97.

"The exercise of any right, on the part of Ireland, which, even in speculation, was likely to prove in the least degree prejudicial to the most trivial manufacture of England, was utterly inconsistent with that illiberal and impolitic system which the latter pursued with regard to the former, and in which the Irish parliament basely concurred: a system constituted of acts *completely obstructive of every species of Irish competition in the English market; restrictive of almost every species of mercantile and manufacturing industry in Ireland;* and corroborative of that English competition, in the Irish market, which tended to foster every infant manufacture of England, and to overwhelm every similar one in Ireland. *Whenever any manufacture, or branch of industry, in England, was thought to require encouragement, the Irish parliament readily imposed duties on similar ones from other countries, admitting those from Britain duty free. Whenever the exigencies of the Irish government required the imposition of duties on merchandise imported, the British were uniformly exempted.* And whenever an infant manufacture in Ireland seemed likely to rival a similar one in Britain, the same practice was pursued, thus *opening a field for the usual efficacy of superior British capitals in overpowering the unaided industry of Ireland.*"—Idem, 118.

To enter into a full detail of this cruel and withering policy would require a volume. I shall confine myself to a mere sketch, which, however, will be abundantly sufficient to satisfy the reader that the connexion of Ireland with England, has produced the misery and wretchedness of one of the fairest portions of the earth.

I shall not go further back than the time of lord Stafford, in 1636, as the records of the commercial and trading policy pursued towards

Ireland, though occasionally glanced at, are not sketched in history, with sufficient precision, before that period.

One of the earliest measures of Strafford's administration was to suppress and destroy the woollen manufacture in Ireland.* For this manufacture the luxuriant pasturage of the island particularly qualifies it.

It 1665, the importation from Ireland into England of great cattle, sheep, and swine, beef, pork, and bacon, was voted "*a common nuisance*," and subjected to forfeiture.† These were the chief articles of export of the Irish at the time, for agriculture was at so low an ebb, that they did not raise much more of the fruits of the earth, than sufficed for their own consumption—and the measures taken by lord Strafford, and the havoc of the long civil war, had so far destroyed the manufacture of woollens, that they were unable to make any considerable quantity for exportation. This wicked measure ruined thousands of the Irish, who had wholly depended on the sale of cattle for their subsistence, and who were thus consigned to ruin.

This prohibition, however, led to the extension of the woollen manufacture in Ireland, for which the raw material was furnished by the fleeces of the sheep that would have been exported to England and fostered the manufacture there. At a subsequent period, this manufacture was making considerable progress in Ireland. The great increase of the flocks of sheep, and the cheapness of labour, had given it a considerable spring. The deadly jealousy and hostility of the English, always operating as a blight and a pestilence to Irish prosperity, was aroused, and the destruction of this important manufacture was determined on. Both houses of the British parliament presented

* "Wisdom advises to keep this kingdom as much subordinate and dependent upon England as possible, *and holding them from the manufacture of wool*, (which, unless otherwise directed, *I shall by all means discourage*,) *and then inforcing them to fetch their clothing from thence*, and to take their salt from the king, (being that which preserves and gives value to all their native staple commodities,) how can they depart from us without nakedness and beggary?"—Stafford, I. 193.

In another letter, on the woollen trade, Stafford says—"*I had and so should still discourage it all I could, unless otherwise directed by his majesty*, and their lordships, in regard it would trench not only upon the clothings of England, being our staple commodity, so as if they should manufacture their own wools, which grew to very great quantities, *we should not only lose the profit we made now by indraping their wools, but his majesty lose extremely by his customs; and in conclusion, it might be feared, they would beat us out of the trade itself, by underselling us, which they were well able to do.*"—Idem, II. 19.

† "The exportation of lean oxen and cows from an insular country to any other, situated at a greater distance from it than thirty or forty leagues, and possessing a sufficiency for the use of its inhabitants, can never be attended with sufficient profit to induce the continuance of the practice. England was the only country lying near enough to Ireland to prompt the people of the latter to get rid of their redundant stock thus; and even in that country, in consequence of there being then no want of cattle, those of the Irish yielded very trivial profits, notwithstanding the proximity of the islands; yet, from this species of traffic, the traffic, generally speaking, of a poor and depopulated country, it was deemed expedient to exclude the people of Ireland. Accordingly, the importation of black cattle and sheep was loaded with a heavy duty; by 18 C. II. c. 2, *the importation of great cattle, sheep, and swine, beef, pork, and bacon, from Ireland, was declared to be a common nuisance, and forbid, on pain of forfeiture*; and by 32 C. II. c. 2, *forfeiture was extended to mutton, lamb, butter, and cheese, and made perpetual.*"—Newenham, 108.

addresses to king William, praying that he would discountenance the woollen manufacture of Ireland, as interfering with the interests of England—that is to say, that he would blast the fortunes and happiness of the thousands engaged in this manufacture, and equally blast the prosperity of the unfortunate country whose main source of wealth he was to cut up by the roots ! ! *

To these addresses the king promised to pay attention. Several iniquitous acts† were immediately passed by the British parliament, prohibiting the exportation of wool,‡ woollen yarn, or woollen goods to any part of the world, except to Great Britain, on pain of forfeiture of ship and cargo, in addition to a penalty of 500*l.* for every offence. One of these acts contained a most profligate and disgraceful clause, that an acquittal in Ireland, should not operate as a bar to a new prosecution in England ! ! ! !

King William in his reply to the addresses of the British parliament, in order to soothe the Irish for the wanton and wicked sacrifice about to be perpetrated of their woollen trade, had pledged himself that

* "On the 9th June, 1698, the English lords presented an address to king William III., stating, "that the growing manufacture of cloth in Ireland, both by *the cheapness of all sorts of necessaries of life, and goodness of materials for making all manner of cloth*, doth invite his subjects of England, with their families and servants, to leave their habitations and settle there, to the increase of the woollen manufacture in Ireland, which makes his loyal subjects in this kingdom very apprehensive that the further growth of it may greatly prejudice the said manufacture here: and praying that his majesty would be pleased, in the most public and effectual way that may be, to declare to all his subjects of Ireland, that *the growth and increase of woollen manufacture there hath long, and will be ever looked upon with jealousy by all his subjects of this kingdom.*"—Newenham, 103.

"On the 30th of June, the commons presented a similar address; and his majesty was pleased to say, in answer, "Gentlemen, I will do all that in me lies to discourage the woollen manufacture in Ireland."—*Ibid.*

† "These addresses were speedily followed by an act, 10 and 11 W. III. c. 10, prohibiting the exportation of wool, yarn, new drapery, or old drapery, from Ireland, to any other place but England, on pain of forfeiting ship and cargo, and 500*l.*, for every offence; *no acquittal in Ireland being allowed to bar a prosecution in England ! ! !* The permission to export the woollen manufactures of Ireland to England was merely illusive; the duties on importation into the latter being tantamount to a prohibition. The duties, moreover, were seconded in their effect by a duty of four shillings in the pound ad valorem, imposed by the Irish parliament, 10 W. c. 5, on all old drapery, (frize excepted,) and two shillings on all new drapery, exported from Ireland; "the better," as the obsequious commons of Ireland observed, "to enable his majesty to provide for the future safety of his liege people."—*Ibid.*

‡ "From the pains which were constantly taken to prevent the exportation of wool from England, and the facility with which its importation was permitted, it might be inferred, that the object of this act, which permitted the exportation of wool from certain ports in Ireland to certain others in England, was to serve the woollen manufactures of the latter at the expense of those of the former. This restricted exportation appears, however, to have had the effect of inducing the Irish to apply, with unusual assiduity, to their woollen manufactures. In consequence thereof it was deemed expedient to embarrass them; and accordingly, by 9 and 10 W. III. c. 40, the *exportation of fuller's-earth and scouring-clay to Ireland was prohibited under severe penalties.*"‡—Idem, 102.

‡ Since that time plenty of excellent fuller's-earth has been discovered in Ireland.

he would encourage the linen manufacture of Ireland. But during his whole reign there was not a single act passed for that purpose.*

By an act passed anno 1695, the trade to the British colonies, which had been a source of great national benefit, was interdicted to the Irish. They were prohibited from importing any articles the growth or production of those colonies, without their being first landed, and having paid duties in England, which operated exactly as a positive prohibition to the trade altogether.†

The English parliament in one of its acts, appeared disposed to add insult and irony to injury. This act, passed in 1730, graciously permitted the direct importation into Ireland, of *all articles* of the growth, production, or manufacture of the British plantations, with the exception of *every thing but rum*. A more solemn mockery or impertinent farce could scarcely be acted.‡

The Irish, curbed and restricted in the woollen trade, entered into the manufacture of silk, in which they made considerable progress, and, had they been permitted to proceed uninterruptedly, it would have proved a source of great national gain, and given employment to thousands of persons who were then in a state of starvation. But the monopolizing spirit of England, and the corruption, venality, and destitution of public spirit of the Irish parliament, blasted it in the bud. An act was passed by the latter, in 1729, which exempted the silk manufactures of England from duty on importation into Ireland. This act sealed the destruction of the Irish manufacture. Ireland was deluged with English silks—the manufacturers were deprived of a market, and ruined, and their workmen devoted to penury.§

In 1764, the Dublin society, as patriotic and public-spirited a body

* "In the reign of King William, *there did not pass a single act for the encouragement of the linen manufacture in Ireland*, although his majesty promised his commons of England to do all that in him lay to discourage the woollen, and *encourage the linen manufacture there*."—Newenham, 116.

† "By 7 and 8 of W. III. c. 22, it was declared, that no commodities of the growth or manufacture of the plantations shall, on any pretence whatsoever, be landed in Ireland or Scotland, unless the same has first been landed in England; and has paid the rates and duties with which they are chargeable by law. Thus was Ireland, while rendered incapable of making effectual remonstrances by national imbecility, consequent on internal disunion, avariciously excluded from the direct lucrative trade of the whole western world."—*Idem*, 100.

‡ "By the act just alluded to, the people of Ireland obtained permission to import, directly from the plantations, into their own country, *all* goods, &c. of the growth, production, or manufacture of the said plantations, *except sugars, tobacco, indigo, cotton, wool, molasses, ginger, pitch, tar, turpentine, masts, yards and bowsprits, speckle wood, Jamaica wood, fustick, or other dying woods, rice, beaver skins, or other furs, or copper ore.* In fact, this generous permission, to import directly from the plantations, may be considered as having been limited to rum; the easy introduction of which was equally calculated to give additional employment to the people of the West Indies, and to circumscribe the use of the Irish spirits, the manufacture whereof was likely to prove, as it afterwards did prove, an effectual encouragement to agriculture, that paramount and imperishable source of wealth and strength.—*Ibid.*

§ "At the time of passing the act which exempted from duty the silk manufactures of Great Britain, there were, according to the evidence given before the Irish parliament, in 1784, eight hundred silk looms at work in Ireland. Thirty-six years after there were but fifty: and thus 3000 persons were driven to beggary or emigration."—*Idem*, 119.

as ever assembled, established a silk warehouse in the capital, where the sales amounted to above 300,000 dollars annually. But this was blasted by the same detestable policy which has so constantly watched, with unwinking eyes, to destroy the prosperity of Ireland. An act was passed, anno 1785, which prohibited the society from disposing of any part of its funds for the support of any house where Irish silk goods were sold. By this act the warehouse was totally ruined.—*Picture of Dublin*, 194.

The Irish having carried on the brewing of beer, ale, and porter, and the manufacture of glass, to great extent, and with very considerable national and individual advantage, the hostility and jealousy of the English brewers and glass manufacturers were excited, and the oppressed Irish, engaged in those useful arts, abandoned and betrayed by their miserable parliament, were sacrificed to the monopolizing spirit of their rivals. Two acts were passed, which in a great measure laid the brewery and glass manufactory prostrate. By one, all hops, landed in Ireland, except British, were directed to be burned,* and a duty of three pence per pound, over and above all other duties, customs, and subsidies, was imposed on the exportation of the article from Great Britain. By the other iniquitous act, the importation into Ireland of glass from any place other than Britain—and the exportation of the article from Ireland to any place whatsoever, were prohibited *under penalty of forfeiture of ship and cargo, and a heavy fine per pound for all the glass found on board.*†

Under a succession of such outrageous violations of the rights of Ireland, it is not wonderful that her tonnage has been confined to a degree scarcely credible. Though her population is half that of England and Wales, the English carry on six-sevenths of the navigation of Ireland.‡

* "It was enacted by 7 G. II. c. 19, that all hops landed in Great Britain and Ireland, except British hops in the latter, should be burned, and the ship forfeited."—Newenham, 105.

† "By 19 G. II. c. 12, the importation of glass into Ireland, from any place but Britain, and *the exportation of glass from Ireland, to any place whatsoever, were prohibited, on pain of forfeiture of ship and cargo, and a penalty of ten shillings for every pound weight of glass put on board*, or on shore, on the master and every person aiding and assisting therein. Had it not been for this violent and unwarrantable act, patiently acquiesced in by the subordinate and mercenary parliament of Ireland, it is not unlikely that Ireland would have surpassed and undersold Britain in the glass manufacture, as it certainly would have done in the woollen; for in respect of all the raw materials taken together, the former was as favourably circumstanced as the latter; in respect of the principal ingredient of the crown-glass manufacture, (kelp,) much more so;§ and in respect of cheapness of labour it also had the advantage."—*Idem*, 105.

‡ "In the year ended 5th of January, 1807, there were built and registered in Ireland only 41 vessels, the aggregate tonnage whereof amounted to no more than 1,687 tons, or about 41 tons, on an average, each. The number of vessels belonging to the several ports of Ireland, on the 30th of September, 1806, was only 1,074, measuring 55,545 tons, or under 51¾ each, which is less than the tonnage of the shipping belonging to Whitehaven alone. The tonnage of Irish vessels, which entered inwards into the several ports of Ireland, in the year ended 5th of January, 1808, was only 107,703, while that of British vessels was 652,946. And the

§ It appeared by the evidence of Mr. Hurst, before the committee of the Privy Council, in 1785, that kelp, the most material ingredient in the crown-glass manufacture of England, was supplied by Ireland.

In 1812, the tonnage of Great Britain was tons - - 2,421,695
Whereas that of Ireland was only - - - - - 57,103

Whether any, and, if any, what, alteration has since taken place, I have no means of ascertaining.

Among all the detestable means by which the prosperity and happiness of Ireland were sacrificed to English cupidity, one of the most shocking remains to be told. In all the former cases, the sacrifice was to promote the interests of Great Britain at large, or at least of considerable bodies of men. In the present, they were offered up to aggrandize half a dozen or a dozen persons. During the revolutionary war, under pretence of preventing the enemies of Great Britain from procuring supplies of provisions for their fleets and armies, their exportation was frequently prohibited for the benefit of the British contractors,* who were thereby enabled to purchase at half, or two-thirds, or three-fourths, of the usual prices. This sinister operation spread destruction throughout the south of Ireland, of which the main dependence has always been the sale of provisions.

Nothing can more clearly show the utter disregard of justice of the British parliament in its legislation, whenever the interests of Ireland were concerned, and the servility of the Irish parliament, and its base sacrifice of the interests and welfare of the nation, than a comparison of the duties in England and Ireland, on the importation of goods from each other, as they existed in 1784, of which I annex a specimen. The whole system bore the same marks of iniquity and oppression.

Duties on goods

Imported into England from Ireland.	£	*s.*	*d.*	*Imported into Ireland from England.*	£	*s.*	*d.*
All manner of woollen cloths, per yard - - -	2	0	6	Old drapery - - -			5
Stuffs, made or mixed with wool		5	11	New drapery - - -			1
Refined sugar, per cwt. -	5	6	9	Refined sugar, per cwt. -	1	13	11
Spirits, single, not of British plantation, per gallon -		3	0	Spirits, single, not of British plantation, per gallon -		2	3
Cotton manufactures, per cent.	29	15	10	Cotton manufactures, per cent.	9	18	5
Linen and cotton mixed, per cent. - - - -	29	15	10	Linen and cotton mixed, per cent. - - - -	9	18	5
Linen cloth, printed, per cent.	65	10	10	Linen cloth, printed, per cent.	9	18	5
Leather manufactures per cent.	65	10	10	Leather manufactures per cent.	9	18	5
Wrought silks prohibited -				Wrought silks, per lb. - -		7	5
Tallow candles, per cwt. -	1	9	8	Tallow candles, per cwt. -		5	6
Starch, per cwt. - - -	4	12	1	Starch, per cwt. - - -		6	5

tonnage of Irish vessels, which cleared outwards, was only 97,856, while that of British vessels was 615,702, which last, being added to the tonnage of the British ships which entered inwards, makes a total, amounting to 1,268,648 tons, yielding to the ship owners of Britain, at only 1*l.* 10*s.* per ton, 1,902,972*l.*"—*Idem*, 156.

* "Not stopping with the gratification of the landholders of England, by prohibiting the importation of Irish cattle and provisions, the British government was frequently, and at a late period, *inveigled into gratifying the avarice of a few contractors, by laying embargoes on the exportation of Irish provisions*, for the ostensible purpose of preventing the enemies of Britain from being supplied therewith; *but really for the sole benefit of the contractors, who thus became the only purchasers.*"—Idem, 109.

Duties on goods

Imported into England from Ireland.	£	*s.*	*d.*	*Imported into Ireland from England.*	£	*s.*	*d.*
Soap, per cwt. - - -	2	7	8	Soap, per cwt. - - -		5	11
Checks, per piece, not above ten yards - - -		3	11	Checks, per piece, not above ten yards - - -		1	3
And besides, for every 100*l.* value - - -	35	15	0				
Bed ticks, per cent. - -	29	15	0	Bed ticks, per cent. - -	9	15	8*

It is impossible to examine this table without sighing over the profligate disregard of the eternal laws of honour and justice displayed by public bodies, unchecked by any sense of shame or disgrace.

Had the British parliament decimated the whole nation, and imposed a poll tax of five guineas per head on the survivors, they would not have produced the tenth part of the misery caused by this odious and iniquitous system, which paralyzed the industry and energies of the Irish, and consigned so large a portion of them to idleness, misery, and wretchedness.

* Newenham, 106. N. B. I have omitted the fractions on both sides.

CHAPTER XXXIX.

Extreme misery of the Irish peasantry, in point of food, clothing, and habitations. Potatoes and milk, or potatoes and salt, the chief part of the fare of a large portion of them.

When we see a suffering people, "*with depressed minds and indolent habits, we do not ascribe their poverty to the men who govern them: but no one who sees a mangy, half starved flock of sheep, ever doubts that it is the fault of the farmer to whom it belongs.*"—MAURICE and BERGHETTA.

"*The misgovernment and consequent misery of Ireland are chargeable, not upon the present minister, but upon the English nation generally, and upon all the statesmen, of every persuasion, who have administered its affairs for the last two centuries.*"—Edin. Rev. XXXVII. p. 63.

"*The discontent and poverty of the people of Ireland are entirely owing to the vicious political institutions of the country, and the misgovernment and oppression to which they have been subjected.*"— Idem, 109.

"*It is only by exposing national evils, that the attention of those who have it in their power to apply a remedy, can be excited.*"—WAKEFIELD, II. 780.

I PROCEED to present a slight sketch of the wretchedness entailed on the Irish by the preceding system, from the commencement of the last century, when the depredations perpetrated by warfare and sham plots had ceased, and the great mass of the landed property of the nation had been transferred from the original proprietors, most of whom had been reduced to abject penury. This system, steadily pursued, has blasted the manifold blessings bestowed by heaven on that ill-fated land.

That no industry, talent, or energy, could withstand the deleterious effects of such a barbarous and unrelenting persecution as was carried on against the national industry of Ireland, must be obvious on the slightest investigation. And that the necessary consequence of such a system, wherever it prevails, must be to deprive myriads of the people of profitable employment—diminish the demand for labour—lower its price—and thus spread desolation and distress around, is as clear as the noon-day sun. Such have been its pernicious effects in Ireland. All travellers agree, that such an intensity of misery prevails among a large portion of the Irish peasantry, in their food, their clothing, and their habitations, as is hardly credible.

The proofs of these assertions shall be drawn from two works of high reputation, written at two different periods—"Young's Tour in Ireland," published in 1776—and "Mason's Statistical Account, or Parochial Survey of Ireland," in 1816.

These works coincide in their statements, and draw such a hideous picture of the sufferings of the Irish, springing chiefly from the detestable system of which I have sketched the outlines in the preceding chapter, as must reflect eternal disgrace on the monopolizing spirit which suggested it—on the various English administrations by which it was matured—and, more than all, on the wretched Irish parliament, who basely purchased the right to enslave and depredate on their Ro-

man Catholic fellow subjects, by the odious and execrable sacrifice of the dearest interests of their native country.*

"The common Irish are in general clothed so very indifferently, that it impresses every stranger with a strong idea of universal poverty."—YOUNG, II. part ii. 35.

"*The cottages of the Irish, which are all called cabins, are the most miserable looking hovels that can well be conceived:* they generally consist of only one room; mud kneaded with straw is the common material of the walls; these are rarely above seven feet high, and not always above five or six; they are about two feet thick, and have only a door, which lets in light instead of a window, and should let the smoke out instead of a chimney."—*Ibid.*

They are "scantily supplied with potatoes; clothed with rags; famished with cold, in their comfortless habitations: nor *can they, though sober, frugal and laborious, which, from my own knowledge, I assert, provide against infirmity and old age, with any other resource than begging or dependence;* than the precarious relief of charity; extremities to which many are constantly reduced."—WAKEFIELD, II. 774.

"The population of the country is much increased of late years; and it is a sad reflection, that *their miseries are multiplied in the same proportion.* The wealth of other states is appreciated by the number of their children, and *with the Irish peasant, they constitute his misfortune and poverty.* How few of them enjoy the luxury of a little milk."—*Idem*, 775.

"Throughout the King's county, *the cottages of the peasants are miserably poor and wretched,* in few instances weather proof."—*Ibid.*

"*The cabins, or rather hovels, of the cotter tenants, are in general wretched, beyond description,* often not sufficiently covered to keep out the rain: they are all built with mud."—*Idem*, 779.

"The state of the poor cannot be worse than it is in many parts of Meath and Kildare.—*Idem*, 780.

"The clothing of the people, *if rags, which scarcely cover their nakedness, can be so called,* consists of wollen cloth or frieze, manufactured at home, and almost every other article of their dress is made by themselves."—*Idem*, 731.

* This wretched body was signalized throughout its career, with few exceptions, by a destitution of honour and honesty, of which the "ferocious code to prevent the growth of Popery," a code which legalized almost every species of crime, would be sufficient proof. I now adduce another striking case. In the year 1735, they passed a vote, by which they declared every man a traitor to his country, who should assist in a prosecution for tithes of agistment, that is, for the tithes of pasture lands: and thus, according to the Edinburgh Review, threw the clergy of the established church "from the opulent grazier, and the Protestant proprietor, upon the Catholic peasantry—for the peasantry are almost universally Catholics—for support."—Edinburgh Review, XXXVI. 75.

APPENDIX.

By employing a smaller type in the quotations than in the former edition, the appearance of the work is not only greatly improved, but the matter is condensed into a smaller compass; the whole contents of the former edition (except three or four pages of irrelevant matter) being compressed into 420 pages, instead of 520, in the second edition. This affords me an opportunity, of which I gladly avail myself, to enhance the value of the work by the annexation, in the shape of an appendix, of "A Vindication of the Small Farmers, the Peasantry, and the Labourers of Ireland," together with a portion of the quotations collected for the former editions, but which were omitted for want of room. The quotations thus omitted were in number 969, which, added to those in the former edition [1143], make in the whole 2108, for all of which I have paid three amanuenses liberally. Those who have undertaken to substantiate disputed points, will know how to appreciate the pains, the application, and the tedious hours this irksome operation required. Indeed, personal experience is not necessary to enable any rational man to form a tolerably correct idea of the labour requisite for such an arduous undertaking. Nothing could have induced or enabled me to go through those painful researches in the seventy works from which my materials were gleaned, (some of them containing numerous volumes, *e. g.*, Rushworth, Clarendon, Carte, and Hollinshead, are in twenty volumes, folio,) but the deep interest I took in the honour of my country—a feeling which entered into my earliest impressions—has continued unabated through my life—and will be among the last relinquished at the hour of my death.

Let me observe, that of the numerous quotations in this work, I have scarcely *copied* half a dozen. The labour would have been too severe. It may not be improper to state to the reader the process I adopted.

I skimmed over the books with a rapid eye, and when I found a passage suited to my purpose, enclosed it within parentheses—marked it in the margin—and then *employed* my hired amanuenses to transcribe it. Having a great facility for such researches, I made a rapid progress. When my materials were all collected, I arranged them to the best advantage. But I must confess that the work is very different from the shield of Ajax, of which the workmanship greatly exceeded the material, whereas my materials are far better than the arrangement of them. In this portion of the art of authorship I have been always deficient. However, the deficiency may probably be regarded as pardonable, when it is considered, that the work lays claim to no further title than that of a mere repository of materials for some future Livy, Tacitus, or Gibbon, to form at length a correct history of the most calumniated country in the world.

In the preface there is an error, which I deem it proper to state. I have there asserted that all my materials were derived from English and Protestant authorities. This requires some qualification. The great mass of them, and indeed all that are very important, are of this description. But there are some exceptions, in which I resorted to Irish and Roman Catholic authorities, as Curry's Review, and the Statement of the Penal Laws against the Roman Catholics of Ireland.

Philadelphia, May 26, 1837.

VINDICATION

OF

THE SMALL FARMERS,

THE PEASANTRY,

AND

THE LABOURERS

OF

IRELAND

FROM THE

INJURIOUS OPINIONS TOO GENERALLY ENTERTAINED OF THEM,

PROVING

From the Report of the late Commissioners of Investigation,

THAT THEY WILL BEAR ADVANTAGEOUS COMPARISON

WITH SIMILAR CLASSES

IN ANY PART OF CHRISTENDOM.

"*When we see a suffering people, with depressed minds and indolent habits, we do not* [*as we ought to do*] *ascribe their poverty to the men who govern them.* But no one who sees a mangy flock of sheep, ever doubts that it is the fault of the farmer to whom it belongs."—*Maurice and Berghetta.*

"Go to Ireland, in order to perceive, with horror, the consequences of an unlearned barbarous legislation."—*Raumer's England in* 1835.

"Ireland is the most deplorable instance in modern history, that a great and noble people may, for centuries together, be involved in the same injustice and infatuation —and all the highly-praised forms of the constitution be paralyzed by the force of passion and prejudice. Kings, Lords, and Commons, have, alternately or simultaneously, wronged Ireland. How should order, humanity, mildness, and obedience to the laws, proceed from such education?"—*Ibid.*

As many of our citizens entertain an opinion that Mr. O'Connell is supported wholly by a reckless faction, of little substantial weight, and with little to lose, and much to gain, by commotion, it cannot be improper to state, that in his efforts to obtain for Ireland a corporate reform, similar to that attained by England and Scotland, he is upheld by a large proportion of the most respectable of the nobility and gentry of Great Britain and Ireland.

The following letters express the feelings of two noblemen on this subject. Others were addressed to Mr. O'Connell, particularly by the Marquis of Hertford, Lord Ebrington, and (it is said) the Duke of Bedford, but we have not procured copies:

"The Earl of Shrewsbury addressed the following letter to Mr. Hume, enclosing a subscription of 50*l.*

"June 26, 1836,

"Sir,—It is with much pleasure that I reply to your circular of the 22d inst. by forwarding a subscription, very inadequate to my wishes, but which I trust will be considered as a mark of respect and gratitude for the man from *whose extraordinary talents, energies, and perseverance, we have received such signal advantages, having been, without any doubt, the principal means in the hands of Providence for rescuing us from the state of social and political degradation to which we have so long been reduced.* I have the honour to be, Sir,

"Your most obedient servant,

"Shrewsbury, Waterford and Wexford.

"To Joseph Hume, Esq., M. P."

FROM LORD RADNOR.

"Association Corn Exchange, Dublin.

"Sir,—I have just read in the morning Chronicle of this day, your address to the people of Ireland. It was what I fully expected, and I rejoice that I have not been disappointed. *Believing that some such measure as that which you propose, can alone save Ireland from confusion, and possibly civil war,* I enclose you a small contribution to the "rent of Ireland," in aid of your proposed "General Association." Permit me to add, that if you accomplish your object, as I hope and believe you will, you will, in my opinion, add to your claims to the admiration of your countrymen, and of the lovers of freedom, *a claim to the eternal gratitude of all who love peace, and dread above all things, a civil and religious war.* You are, of course, welcome to make what use you please of this letter; but I confess I am anxious that, in Ireland, at least, it should be publicly known, that Englishmen (I believe I may safely say *the great majority of the people of England,*) *sympathize with the Irish in their wrongs and sufferings,* and are desirous to assist them in every legal and peaceable mode of obtaining redress.

"I am, Sir, your most obedient, humble servant,

"Daniel O'Connell, Esq., M. P. Radnor."

DEDICATION.

To the Honourable Daniel O'Connell, M. P.

Dear Sir,

There is a peculiar propriety in dedicating this little work to you, as, among the various benefits your laudable, patriotic, and indefatigable efforts have secured to your country, you have been the principal means of procuring those investigations into the situation of the poorer classes in Ireland, which furnish its materials.

Considered in point of size, the Vindication is too insignificant to be honoured with a dedication. But, for whatever are its deficiencies in that respect, the importance of its object will amply compensate. That object is nothing less than the redeeming from obloquy the mass of a noble nation, which, notwithstanding the multifarious degrading circumstances, religious and political, under which it has so long laboured, has produced, at least, its full quota of those illustrious men on whom the British nation prides itself—in the cabinet, in the field, and in the forum—in arts, in arms, in science, and in literature. This is an object worthy of a Livy, a Tacitus, or a Junius—and it is to be regretted that it has not fallen to the lot of an abler pen than mine.

That the inappreciable services you have rendered your country entitle you to the lasting gratitude of every Irishman, every descendant of Irishmen, is one of those truths which nothing but malice or ignorance will doubt or deny.

I remain, Sir,

Yours, very respectfully,

M. CAREY.

Philadelphia, Sept. 8, 1836.

VINDICATION, &c.

The character of the small farmers, the peasantry, and the labourers of Ireland, has, for a long time, been under par with a large portion of mankind. They have been portrayed as idle, lazy, disorderly, sanguinary, and tainted with no small portion of the vices of the savage, with few of the redeeming qualities of the civilized state. This is a hideous and revolting picture, which, though a miserable caricature, has been so often and so perseveringly urged on the public eye, almost without contradiction, that it is not wonderful it has been so generally credited. It may be worth while to inquire the source whence it has flowed. I will try to solve the difficulty, and to make it appear, that the *tout ensemble* has arisen from that process of generalization, to which mankind are but too prone, by which the vices, follies, and crimes of individuals are accumulated together, and charged to the account of the body to which the offenders belong.

This is a fiery ordeal, which no class, of either sex, from the tenants of the gorgeous palace to those of the wretched roofless hut, can stand unscorched. I might make numerous applications in our days, and in our own city and country, but the task would be invidious, and I forbear.

Careless, cursory, and indolent travellers have rode post haste through the country, and finding almost every where hundreds of able-bodied men listless and unemployed, and appearing almost too indolent to move, they assumed, without taking the trouble of making any inquiries into the causes of this phenomenon, that their being unemployed, arose from their inherent idleness and laziness, which prevented them from seeking, or, if it offered, from accepting employment. Finding a large proportion of the people in rags, they philosophically concluded, that it arose from their recklessness about the decencies of life. Beset by hosts of beggars, they with equal justice and propriety, considered that these miserable creatures had adopted this vagrant course of life from a preference of its freedom from restraint, and a distaste for honest industry. When they understood that riots and outrages occasionally took place, they concluded that they arose from an inherent disposition to disorder, which nothing but martial law could control. Such is the course pursued by a large portion of the travellers in Ireland.

Now, a very moderate portion of inquiry would have produced a conviction that there is not to be found a more laborious and industrious people than the Irish—and that they would not be idle if they could earn eight-pence a-day half the year, and have their board in return for their labour for the remaining half. Are there any people in America more industrious than the Irish?

Had they made inquiry respecting the ragged clothes, they would have found that they arose from the utter inability to replace them by new; so that they were obliged to wear the old as long as they could

be tacked together. Similar inquiries on the subject of the beggars, would have proved, in almost every case, that they had taken up that trade from their having no alternative but beggary or starvation; and they would have found, had they made the necessary inquiries, that so far as regards those outrages which are so often blazoned forth and magnified in the newspapers, (and of which parallels may be sometimes found in nations which cannot plead any similar apology,) they are, in general, the result of sectarian jealousies enkindled and fostered in too many cases by those whose special duty it is to preach "peace and good will on earth;" in some cases by the horrible oppression and rapacity of tithe proctors; and lastly, though not the least, by the cold-blooded and heartless ejection of tenants by rigorous agents, and an unfeeling squirearchy. And at all events, they would have found that the persons engaged in those riots bore but a small proportion to the mass who are stigmatized with the charge.

Far, very far be it from me to justify such proceedings, come from what source they may. But if, as we are told, "oppression makes a wise man mad," let each individual look into his own breast, and consider calmly what would be his feelings if he had all his moveables seized for tithes, or himself and his family, a wife and some five or six children thrust out on the road, destitute of house, home, or food to allay the cravings of hunger of his starving little ones. When he has duly considered these things, let him pass sentence on men of strong feelings and little cultivation, who, in a moment of desperation, obey the impulses and promptings of revenge.

At length, recent investigations, laudably instituted by the present administration of Great Britain, to ascertain the real state of the three classes whose vindication I have undertaken, have shed a glare of light on this important, but grossly-misunderstood subject; and fully established the gratifying fact, that the classes in question may enter advantageously into comparison with similar classes in almost any quarter of the globe.

The measure which has produced such a salutary result as the development of the real character of the great mass of a nation, which has suffered more from misgovernment, for nearly seven centuries, than, probably, any other portion of the terraqueous globe, was the appointment on the 25th of September, 1834, of a Board of Commissioners, "to inquire into the condition of the poorer classes in Ireland, and the various institutions at present established by law for their relief; and to propose in writing, and submit to the government such further remedial measures, if any, as may appear to be requisite to meliorate the condition of the Irish poor, or any portion of them." Full powers were given to call before them all persons who might be necessary, to arrive at the truth; to administer oaths to the parties, should they be requisite; and to send for such records and papers, as they might judge proper. In one word, their powers were co-extensive with the whole kingdom, and embraced all the complicated details of the intricate subject referred to them.

This Board consisted of nine persons, the Protestant Archbishop of Dublin; D. Murray, D. D., Roman Catholic Archbishop, Charles Vignoles, Richard More O'Ferrall, James Carlile, Fenton Hart, John Corrie, James Naper, and W. B. Wrightson. They classed the subjects of their investigation under six heads—

1. An inquiry into the extent of destitution, and the modes in which relief is administered to the destitute.

2. The causes of destitution.

3. The rates of agricultural wages, the habits of farm labourers, the nature and extent of employment in agriculture.

4. Similar inquiries respecting manufacturing labour, trade, and commerce.

5. To discover whether there might be, within the reach of the legislature, any measure which might tend to increase the demand for labour.

6. To inquire into the state of the mines and fisheries.

And here let me observe, *en passant*, that the Melbourne is the only British administration, which, from the fatal hour of the blighting and blasting invasion of Ireland by Henry II. to the present day, a period of nearly seven hundred years, has ever showed the least inclination, I will not say to remove any of the hideous evils and grievances under which Ireland has groaned, (partly from the proconsular government that prevailed there for above six hundred years, and partly from the wanton and cruel sacrifice of her dearest interests whenever they came in competition with even the minor interests of Great Britain,)* but even to ascertain the real state of the country, and whether any of its grievances could be removed without interfering with the interests of Great Britain, an attention to which, *coute qui coute*, has been the paramount object of every British administration. Lord Melbourne and his coadjutors are entitled for this benevolent measure to the lasting gratitude of every Irishman at home or abroad, who possesses any portion of national feeling.

The Commissioners, finding it would be impossible for them, within any reasonable time, to proceed through the whole Island, and make personal inquiries, on such a variety of complicated subjects, and

* Page 416 contains a few specimens, "*ex pede Herculem*," of the cruel, unjust, and oppressive system pursued by the British Parliament towards Ireland, in the duties imposed on importation from one country to the other. This vile system it was, that tore up Irish industry by the roots—blasted and withered the countless blessings bestowed on the island by the bounty of heaven—devoted the people to idleness, poverty, and beggary,—and spread desolation over the land. This system prevailed for above a century. It is now defunct.

The following strong denunciations of the selfish and iniquitous policy pursued by the British Parliament, whereby were offered up the industry and prosperity of Ireland, as a sacrifice to the interest of England, are from the high authorities of William Pitt and T. Newenham—authorities beyond controversy.

"The object of that species of policy which the British government had exercised towards Ireland, had been *to debar her from the enjoyment and use of her own resources, and to make her completely subservient to the interests and opulence of Britain.*"—*Speech of Mr. Pitt in the debate on the commercial propositions*, 1785.

"*Whenever any manufacture or branch of industry in England, was thought to require encouragement, the Irish parliament readily imposed duties on similar ones from other countries, admitting those from Britain duty free. Whenever the exigencies of the Irish government required the imposition of duties on merchandize imported, the British were uniformly exempted.* And whenever an infant manufacture in Ireland seemed likely to rival a similar one in Britain, the same practice was pursued; thus *opening a field for the usual efficacy of superior British capitals in overpowering the unaided industry of Ireland.*"—*Newenham's View of the natural, political and commercial circumtsances of Ireland*, p. 118.

being unwilling to depend upon written communications, which would probably be very contradictory, and partake largely of the sectarian principles of the writers, adopted a prudent plan by which they were certain of obtaining as correct information as the nature of the case would admit. They appointed a deputy Board for almost every county in the Island, composed each of two members, one an Englishman, and the other an Irishman. These subordinate boards being duly authorized to cite before them such persons as they might judge proper, accordingly summoned individuals of every class, from the peer to the laborer, and even in some cases, common beggars. In almost every case among the persons cited, were the pastors of the different religious denominations.

The parent Board required, as an indispensable condition, that the examinations should be held in the presence of the Assistant Commissioners, and rejected some for want of that qualification.

Human wisdom could hardly devise a better mode of accomplishing the statesmanlike and benevolent object in view,—that is, the development of the sufferings and misery of a numerous portion of the most wretched and destitute of the human family,—a portion, which, as I hope will appear in the sequel, may be justly regarded as forming a highly interesting and estimable part of that family—a portion which, in spite of the adverse, the appalling and the oppressive circumstances which have attended the national career for centuries, displays as large a share of the virtues which adorn human nature, as the same classes in any other nation under the canopy of heaven, and an infinitely larger share than many nations enjoying advantages from which the Irish have been sedulously and undeviatingly debarred.

These positions, running in such direct hostility with deeprooted and inveterate prejudices, too generally prevalent, will excite the wild astonishment of some, and the blind incredulity of others. But if strong and impregnable facts be allowed their due weight, I trust that the astonishment of the one class, and the incredulity of the other, will be dispelled ; and that the impartial and enlightened of both parties will rejoice at being emancipated from the yoke of discreditable prejudices, calculated to make them regard with jealousy, and dislike, and something approaching to abhorrence, large bodies of their fellow-beings, worthy of esteem for their estimable qualities, and sympathy for their cruel, long-continued, and unmerited sufferings.

I proceed to state the points which I hope to prove,—

1. That the patience, forbearance, and resignation with which the three classes contemplated in this vindication, submit to the most oppressive privations, not unfrequently of the common necessaries of life ; to misery, distress, and wretchedness, not exceeded in any part of the globe ;—misery, distress, and wretchedness, which might afford some palliation of outrage on the persons and property of those to whom those evils are ascribed—this patience and forbearance, I say, justly entitle them to the admiration of the friends of order in every quarter of the globe.

2. That their kindness, and attention, and relief, to and of their parents, and relations, and neighbours, are rarely equalled, and can hardly be exceeded.

3. That their effective charity, as far as their means go, towards

those poorer than themselves, is carried to an extent without example, and commands our warmest approbation.

4. That the chastity of females of those three classes, is more highly prized, its violation less frequent, and, when it does occur, is attended with more disgrace than among similar classes in any other country in Christendom.

5. That the desertion of wives by their husbands, so very common in those classes in England, is a rare occurrence in Ireland.

6. That the outrages which occasionally take place in Ireland, are generally the result of grievous oppression, chiefly of tythe proctors, by whom the bed on which sick and dying persons are lying; the pot wherein the potatoes are boiling; in a word, every thing moveable has been swept away for tithes to support the pastors of a religion to which they are averse, a score of whose congregations do not equal a single congregation of that religion from whose professors their support is thus cruelly extorted. Serious outrages sometimes take place when unfeeling landlords at once eject twenty, thirty, or forty, of their tenants with their families, who are turned out on the high road without any other shelter than "*the blue vault of heaven*"—and when this havoc of human happiness, is perpetrated for the accomplishment of some sinister purpose, and generally the attainment of additional political influence.

7. That sheer distress is the general cause of mendicancy.

8. That the absentees, who drain the country of its wealth, rarely contribute to the relief of the poor.

In enumerating the estimable qualities of these people, it would be manifest injustice to pass over the steady adherence to the religion of their ancestors, under a most cruel persecution of nearly three hundred years, a persecution which offered violence to all the best feelings of human nature. This trait in their character must command the warm admiration of the liberal-minded even of those who disapprove their religion.

The extracts, in proof of these positions are all taken from the Report of the Board of Commissioners above referred to. They will, I trust, fully corroborate them.

Some of my readers will probably regard the quotations as, in some cases, too copious. I had some doubts on the subject myself; but on more mature reflection, I determined "to make assurance doubly sure," so as to put an end to doubt and uncertainty on the subject.

Attempts have been made to dissuade me from dedicating this trifle to Mr. O'Connell, by persons offended at his tirade against this country, on the subject of slavery. This, I freely admit, was an injudicious and ill-timed affair, in which he had no concern, and which was in no way connected with the subject in debate. It probable arose from a momentary impulse, without reflection. The Irish are the creatures of impulse. But there are spots on the sun—and no man is wholly exempt from error. The error in this instance is a venial one; but had it been ten fold greater, the eminent services he has rendered to society, would abundantly atone for it.

To conclude. Let it not be supposed that I offer the statements contained in the subjoined extracts as applying over the whole island without exception. Far from it. There are exceptions. There are different shades of character in different parts of the island, and in

some respects there is as much difference between the manners of the different provinces as between Englishmen and Irishmen. But a candid examination of the subject will force conviction on every liberal mind, that the three classes in question, (whose case alone occupies attention in this pamphlet,) are distinguished in an eminent degree, by the great leading characteristics of support of parents and relations, when these are unable to support themselves—of kindness and attention to neighbours—of patient suffering of intense distress—of general hospitality—and of charity, even among the poor and indigent themselves, knowing no bounds but the slenderness of the means of the donors. And though there are exceptions, as there must be in all observations respecting that anomalous animal, man—I trust the character is, probably, drawn with as much fidelity as any national character whatever, and that it stands on far higher and more estimable ground than has been supposed even by many of its warmest advocates. This, when I began, I regarded as "a consummation devoutly to be wished." Whether I have attained my object, must be left to the decision of an impartial public. But I cannot allow myself to doubt that if I have not established all the points I undertook to prove—I have established the most important. This sufficiently rewards my labours.

September 8, 1836.

PROOFS AND ILLUSTRATIONS

FROM

THE COMMISSIONERS' REPORT.

I. *The patience, forbearance, and resignation of the three classes above stated, under the most grievous privations, entitle them to the admiration of the friends of order every where.*

County Mayo.—"The Rev. Mr. O'Brien knew two families of labourers, this summer, *to remain in bed all day, as they said, to stifle their hunger.* They told him that several of their neighbours did the same." p. 228.

County Tipperary.—"There are a vast number of reputable people in great want, who are ashamed to beg. *Some live on a few dry potatoes for twenty-four hours.* Either their cases are represented, or they apply personally." p. 391.

County Mayo.—"Numberless instances were known of families being unable to procure straw, cutting rushes for beds, and still more, that *for want of bed clothes, lie in the clothes they wear by day.* Independent of rain from the roof, they cannot but be damp from their situation, as the most valueless, that is, swampy piece of land, is always selected to build them on, for fear of wasting any that might be profitable." p. 169.

"The Rev. Mr. Hughes mentions a case in which he was called on, about three months ago, to administer the rites of religion. The family had been attacked by the fever; he found the father, and four out of the five children, sick, and *all together on one bed of moist rotten straw; their only covering a single fold of what is called a poverty blanket,* (half wool, half tow.") Ibid.

County Carlow.—"Doctor Payne knew several cases where small farmers could not buy the requisites in sickness, neither milk, whey, gruel, or any thing but dry potatoes; and, in one of these cases, the *life of the patient was lost by these privations.*" p. 173.

City of Cork.—"The Assistant Commissioners found, in a small room, coiled up in corners, a mother and daughter; *a little straw under, and a single covering over each of them.* A young woman, attending them, said she had just recovered from fever. She showed a few miserable black wet potatoes in a saucepan, and said they had nothing else to eat." p. 184.

County Kerry.—"A labourer, in sickness, is left entirely to his own resources: or, in the absence of these, he is thrown on the charge of his neighbours; whatever be his circumstances, his wife and children do not go out to beg, they stay at home to attend him." p. 188.

County Galway.—"Many men, during last July, *had to live on one scanty meal in the twenty-four hours.*" p. 194.

"In the scarce time they often work for 6*d.* per day, and many spend another day looking for their hire. When potatoes are 4*d.* a stone, that will go a short way in supporting a family." Ibid.

"Many were obliged to pawn their clothes in the pawn office last July, and were not able to go to mass for want of them." Ibid.

"*The general food of the peasant is dry potatoes;* he sometimes may have a herring or a drop of milk; it is a melancholy truth that they may rear the pig, but they cannot eat the bacon." p. 197.

County of Longford.—"Those who have a plot of early potatoes, DIG THEM BEFORE THEY ARE HALF GROWN. They often have them dug out when they ought to be beginning. Eating these unripe potatoes causes sickness; many men are put to their graves by this bad food. They are pounded with salt and vegetables, to give them a substantial body, otherwise they could not be eaten, they are so wet and tasteless; they are soft as mushrooms." p. 199.

County Mayo.—"All the witnesses agree that a man can scarcely procure thirty days' labour through the entire year, that no man can support himself without land, and that any man holding less than two acres at a moderate rent, must, at one time or other of the year, apply for support to the charity of his neighbours." p. 207.

"I knew a man, having a cabin four miles distant, come in and work, last spring, in this little town, *for 2d. a day and his food.* He was a good labourer, and when I reproached his employer for taking his labour at so low a price, he boasted that he could get another to work for 1½*d.*, and I believe he could." Ibid.

Mr. Gibbons says, "I knew holders, paying 3*l.*, 4*l.*, and 5*l.* rent, to be so destitute of clothes, as to be obliged, when going to market, to borrow a coat from one man, a trousers from another, and a waistcoat. The person that looks decent in the market to-day, you would take for a beggar, if you met him at home in his own rags, to-morrow." p. 208.

Gallagher says, "He knew a family, this last summer, (1834,) to have, during three days, but one substantial meal of potatoes." He adds, "They kept life in them by picking shell-fish on the strand." p. 209.

"Their last resource is either to beg, *or to dig their potatoes before they are half ripe;* sometimes they get the best stalks on the ridge, and root out the young potatoes with their fingers, then turn back the mould, that they may injure the growth as little as possible." p. 210.

County Carlow.—"The petty robberies of potatoes, which are frequently committed, arise altogether from destitution, not from immoral feeling." p. 217.

"There is never more than one-third of the labourers in constant employment, and, in the unemployed season, there are at least five hundred out of work, many of whom do not get two days' work in the month." p. 218.

"Half the petty thefts are from distress. Many," says Mr. Butler, "have been brought before me, as a magistrate, under such circumstances. It is to us all a matter of wonder how they bear their situation with half the patience that they do." p. 219.

County Kildare.—"It is a matter of frequent occurrence to find able bodied persons committing trifling offences for the purpose of being sent to jail, and of getting food and shelter there." p. 221.

"There are at least two hundred families in this town, without straw to lie on, and without any potatoe ground; and, as they get little employment, it is a miracle how they live." p. 263.

County of Tipperary.—"The poor have been known to live on prassagh, (a yellow weed,) or on unripe cabbages or potatoes. Even in ordinary seasons, no small

number of labouring men are compelled to allow their wives and children to have recourse to beggary." p. 265.

County Antrim.—"Dr. Forsyth observing a poor man's cabin blocked up on Sunday, he was induced to make inquiry, and found that he had not risen from his bed during the day, having nothing to eat." p. 269.

"The Rev. Mr. Brennan states, 'it would make your blood run cold to hear the tales of woe and misery that are told me in my confessional; the hardships of the poor are beyond endurance.'" p. 224.

County Roscommon.—"According to the evidence given by the Rev. Mr. M'Cann, Capt. Graham, and Mr. Rooney, there is not employment for one-fourth part of the labourers belonging to the parish between September and March, and again between the 1st of June and middle of August." p. 226.

These gentlemen further testify, "that when the labourers are out of potatoes, and cannot get credit, (which they cannot without giving security, and paying most usurious interest,) they go through the fields and gather the wild weeds. They boil them with salt, and live on them without even a potatoe to eat with them." Ibid.

County Westmeath.—"Instances have been known of persons having committed trifling offences, for the purpose of being sent to prison, in order that they may obtain food and shelter." p. 231.

County of Clare.—"At all times of the year, a large body of able bodied men are out of work, but in summer there is the greatest scarcity of employment. The poor are then reduced to the greatest extremity, and are obliged to put up with just as much food as will keep life and soul together. *Many is the man who thinks himself well off at that time with one meal a day.*" p. 234.

"The following case gives an idea of the distress to which these poor women are reduced. When the cholera hospital was established, notwithstanding the dread which was entertained of the disease, three poor widows feigned sickness in order to gain admittance." p. 120.

County of Londonderry.—"They, (the widows,) are frequently reduced, with their children, to six pounds of potatoes a day. Spinning is the only employment to which they can have recourse." p. 130.

"The habits are as follows—two or three families occupy one room. We have found four families in a room, *in one corner a woman, who had just been delivered, lying on a little straw;* no other straw in the room." p. 257.

County of Cork.—Crowly states, "I have been obliged to do with one meal during summer, when I was out of work; not for a whole week together, but for two, and sometimes for three days at a time." p. 258.

County Wexford.—"Widows, with young children, are generally in a more wretched state than the rest of the community, frequently living on but one meal a day." p. 115.

County Sligo.—"No small proportion of our commonest, and, eventually, the most fatal diseases, are caused by the insufficient nutriment of invalids." p. 172.

"The huts that labouring people live in, are often such that they have scarcely a place to lie in, on account of the rain." p. 234.

"In point of clothing, the state of a great portion of the labouring class is very wretched. The clothes, or rather rags, of many labouring men, are utterly insufficient to protect them from the cold." p. 253.

"Many have no blankets, but make use of the clothes they wear during the day for night covering." p. 254.

County Antrim.—"Many cases of death arise from starvation." p. 399.

II. *Filial Affection—Support of Relations—Remittance from the United States and the British Colonies, for the relief of parents and kindred in destitute circumstances.*

County of Sligo.—"*The support of the destitute by their relations is considered a sacred duty,* which is rarely neglected. The children do not feel aggrieved by the burden. But the daughter-in-law sometimes falls out with the old people, who, rather than keep the man and wife in disagreement, will go out and beg." p. 141.

"This obligation extends to brothers and sisters, and *the claims of relatives, much farther removed, are frequently allowed.* Money is frequently sent home from America, to their friends, by young men who have emigrated there." Ibid.

County of Carlow.—"In this parish, [St. Mullins,] there are, out of a population of 6,452, 25 destitute persons who are infirm through age. All these poor people live with their relations, and none are supported by the gentry, or by collections made at places of worship, or by begging." p. 142.

County of Kildare.—"*Parents feel they have a right to support from their children.* Aged relations, who have lived in the family, feel a right to support, as do brothers and sisters, born infirm, or disabled by accident. It frequently happens that the support of aged relatives presses heavily, as they require better food, and a person to attend them. Still the children never complain, as they consider it a duty." p. 144.

County of Longford.—"In every third family there is one person infirm from age. Thus, of 600 families of the labouring class, and 500 of the farming class, there will be 200 of the former, and 165 of the latter, infirm from age. Of these, the farming class are, almost without exception, *supported by their families.*" p. 145.

County Mayo.—"Mr. Nally says, I know numbers of persons, supporting their parents, who can afford themselves no better food than potatoes and salt, herrings sometimes, but oftener potatoes and nothing. And these are small farmers, having cows, whose families scarcely know what the taste of milk is. If they do not sell it, they have no means of making up the rent." p. 138.

County Sligo.—"There is no relief provided for the poor of the working classes, in a time of sickness, except medicine. They are most willing to attend each other in all contagious disorders, particularly fevers." p. 171.

County Donegal.—"The poorer classes invariably evince the greatest kindness to all their sick. There is no feeling more general than anxiety to attend the sick. The only difficulty, frequently, is to keep their relatives and friends away from persons afflicted with violent contagious disorders. In fact, no words can possibly express the feelings of affection manifested by the poorer classes, under such emergencies, towards one another." p. 191.

County of Londonderry.—"No sick family is ever left without attendance by their neighbours. But as the children are not removed, frequently, contagious disorders spread through the whole family." p. 192.

County Kildare.—"The young labourers assist by the hour, such as planting potatoes for widows, and carrying home fuel for those who have no children." p. 144.

County Roscommon.—"Gaffney states, "I know a man supporting a father and mother, both 80 years of age." p. 139.

As to remittances from the colonies, Coulon states, "that he knew a girl who sent, in two years, from America, a sufficient sum to take out her whole family." Ibid.

"The support of destitute persons usually devolves, as a matter of duty, *upon the nearest relatives*, at least as far as children, brothers, and sisters. Should they refuse to give them aid, they are looked upon, by their own equals *with the greatest abhorrence.*" p. 141.

"Mr. C. stated, that he had opportunities of knowing remittances were received from friends who had emigrated to the Colonies, as the money is frequently paid through his hands. About 120*l.* ($600) comes in that way into the parish. It is principally intended to take friends out—but about 12*l.* is appropriated for the support of destitute relations at home." p. 144.

County Wexford.—"The young relatives, whenever they can afford it, *give a cheerful support to the aged*, and, of course, when badly off, their privations must fall also on those depending on them." p. 149.

County Clare.—"The Rev. Coffey thought that the *support of parents is regarded more as an act of duty than as a matter of right.* It is cheerfully undertaken by all who are able to afford it. The parent generally remains with his youngest child, who inherits his estate, and he thus continues to enjoy his bed and board, to which, it appears, great attachment is felt. The other children bear their share of the burden, by contributions of potatoes and other food. They rarely give money—but sometimes clothes." p. 151.

"A poor man, named John King, whose son emigrated to America, about three years ago, received a remittance of 15*l.* from him, which he judiciously employed in draining a small bog farm, which he held at a very low rent." p. 152.

City of Cork.—"*The younger branches feel it a duty to support the old*, and though it sometimes presses heavily, it seldom produces ill feeling." p. 155.

County Donegal.—"*The instances are very rare of the infirm not being sup-*

ported by their relations, and, where they do occur, it arises from some family disputes, and not from any unwillingness to do so. The poor never complain of the support of their parents, though it often gives them enough to do to support their own children." p. 161.

Christopher King stated, "that he has two sons and two daughters in America, who send him, every year, at least 15*l.*, which paid his rent." p. 162.

Samuel Dikenson stated, "that one of his children emigrated to America, leaving his wife and children behind him, and sent for them in a year. *He sends his father as much as (with some assistance from another son) is sufficient for his support.* Ibid.

County of Londonderry.—"The support of the aged presses severely on the younger branches of the family. Unmarried children more frequently support an aged parent than married. Many of the former send to the parent the greater part of their wages." p. 163.

County of Galway.—"I have often known a family to go between struggling and begging for many years, while the children were young, and, *when the children grew up, the parent was supported by them.*" p. 166.

County Carlow.—"Mr. Lynch says, I have seen a decent man, who worked for the support of a father and sister, in the depth of snow, eating cold potatoes; at the time, he was working for 10*d.* a day. p. 110.

III. *Female chastity is more highly prized, its violation less frequent, and, when it does occur, is attended with more disgrace than among similar classes in almost any other country.*

"Mr. Magnire did not think that the demoralization of begging, coupled with necessity, ever led to such an extreme as prostitution. At least, he did not recollect an instance of a widow having an illegitimate child." p. 118.

County of Limerick.—"There has been no case of a widow having been driven by her necessities to prostitution." p. 123.

County of Londonderry.—"The widows can never be driven to prostitution. But their daughters, who have been brought up in idleness, as beggars, and exposed to temptation, frequently fall into vicious habits." p. 131.

County of Galway.—"It is a matter of notoriety, that incontinence is regarded, by the Catholic peasantry of Ireland, with tenfold horror to what it is by the Protestant people of England. p. 134.*

County Limerick.—"Mr. Furlong observed, that morality, so far as general intercourse is concerned, is preserved to a wonderful extent, even among the poorest, particularly when the crowded state in which they live is considered." p. 91.

"On the subsequent state of girls who have had illegitimate children, Mr. Cell stated that such persons seldom get married. They find great difficulty, also, in procuring service." p. 92.

County Tipperary.—"The effect of having an illegitimate child, on a woman's character, is, that she is cast off from society, and has little chance of getting a husband, unless she has a good deal of money. A bastard is thought nothing of. It sticks to him through life." p. 93.

County Antrim.—"Girls who have had illegitimate children find most difficulty in procuring husbands on that account. It is not known that individuals of the poorer classes are influenced by persons in higher stations to marry such women, who are

* The following extracts, from the Report of the British Commissioners on the Poor Laws, will probably be sufficient to confirm the above statement:

"In the first place, I appeal to the experience of all overseers in rural districts, if the instances of marriage taking place without previous pregnancy are not so very rare as to constitute an exception to the general assertion, that pregnancy precedes marriage." p. 392.

"The English law has abolished female chastity, self respect, proper pride, and all the charities of domestic life, derived from, or connected with, its existence. It has destroyed, likewise, the beneficial influence which this virtue in women reflects on the character of men." p. 399.

degraded in the opinion of their own sex. And, unless educated and well conducted, a bastard would be objected to by a small farmer as a match for his daughter." p. 94.

Town of Ballemera.—"There is no instance known of young men being induced to marry such women for the wages procured for their support at the sessions, or by the influence of any of the richer class who was the father of the child." p. 96.

County of Wexford.—"The Rev. Mr. Murphy mentioned a case, well known, where a young man, well educated and of excellent character, holding a farm of 140 acres, was refused by several women beneath his own rank in life, avowedly owing to the stain on his birth. He afterwards married a servant." p. 78.

County Clare.—"The mothers of bastards, in three cases out of four, are farmers' servants, who are particularly exposed to danger from the promiscuous manner in which such servants, both male and female, are obliged, from want of room, to sleep together. Farmers' daughters, however, are rarely known to become pregnant from this cause." p. 79.

"Rev. Mr. Denan said he knew several instances where small famers' sons have refused considerable sums held out to marry a gentleman's illegitimate sister or daughter." p. 80.

County of Cork.—"No decent man, or man that thought any thing of himself, would marry a woman of her kind." p. 87.

City of Cork.—"A woman who has had an illegitimate child is looked upon with contempt, and would not be associated with. But the young women have a great deal of discretion, and few of them go astray in that way." p. 90.

"A good deal of this feeling goes along with the child. Bastard is a term of contempt—and a small farmer would certainly have an objection to give his daughter to a bastard, though otherwise an eligible match." p. 70.

County Kildare.—"These women are looked upon, by the generality of their own sex, with pity and contempt—and a respectable small farmer would object to give his daughter to her offspring, unless some great and peculiar advantages would be gained." p. 73.

County of Longford.—"None of the witnesses had ever known the mother of an illegitimate child married on account of the wages. They scarcely ever get a husband when they are known, and generally leave the district." p. 75

"Few are influenced by the higher classes to marry such a woman. There is no instance in this town; and it must be unfrequent any where, as the man who does so is considered to disgrace himself. The stigma on the bastard is indelible. There is the strongest objection to contract marriage with him." p. 76.

County Westmeath.—"Such women are looked upon with contempt, especially by their own sex." p. 77.

County Donegal.—"Having had an illegitimate child, is a stamp on the character of a girl, that can never be got over. The rich have influenced the poor here to marry such women, whom their own sons look upon with the greatest contempt." p. 97.

County Kerry.—"The number of bastards in the parish amounted to 6 or 7 all together. They are scarcely one per cent. of the births." p. 90.

County Antrim.—"It is not known that the widows of the town have resorted to begging, or that the demoralization, coupled with their necessities, has ended in prostitution." p. 125.

IV. *Their charity to persons poorer than themselves is almost without parallel.*

County Galway.—"The poor give ten times as much as the rich, in proportion to their means. Persons renting only one acre, and even day labourers, give relief to the beggar, if they have it." p. 283.

"Persons have, I believe, often given away, in the earlier part of the year, so much as to leave themselves afterwards in want. I have known," says Mr. St. George, "poor persons, who were buying provisions, to give away more than those from whom they bought." Ibid.

County Mayo.—"It is quite common, among mere labourers, to relieve beggars in winter, and be themselves in great want in summer." p. 293.

County Roscommon.—"I saw a very poor creature, who happened to collect more food than she actually wanted for the day's subsistence, gave away to another, who

she found, if possible, to be more wretched than herself, as much potatoes at a time as are given at a farmer's house to a beggar." p. 302.

County Sligo.—"In general, they give something to every one, and, even people who may have to go out themselves next month, give to beggars this month." p. 313.

"Charity is so universal among the poor themselves, that the farmers declared that every man who had a potatoe would share it." p. 314.

County Kildare.—"In proportion to their means, the poorer classes are supposed to give most to beggars. Even the labourers, who have but their hire to depend upon, give a part of their meals and a night's lodging to the beggar." p. 325.

County Meath.—"The support of the poor, as all the witnesses agree, falls on the shopkeepers, farmers, and labourers. The gentry, observes Mr. Flood, shut their gates against them." p. 342.

County Westmeath.—"On the farmers the support of the poor principally falls. The labourers, with half an acre, also give. Even the day labourer, who has nothing but his cabin, contributes." p. 347.

County Wexford.—"It sometimes happens, that those who give too freely in the beginning of the season, *afterwards feel the want of the provision they have given away.*" p. 351.

Count Clare.—"Even the labourers possessing no con-acres, and who are obliged to buy their provisions, never refuse alms." p. 365.

County Cork.—"The evidence was quite clear, that the relief of the poor fell chiefly on the middle classes, and that the struggling shopkeepers are most liberal, often to a degree beyond their means." p. 379.

County Tipperary.—"It is very common for farmers to give imprudently to beggars, so as to leave themselves in want at the end of the year." p. 395.

County Antrim.—"There are many who are frequently compelled to purchase potatoes at the end of the season, at a very extraordinary price, whose store, if it had not been for the frequent calls on their charity, would probably have lasted till the new crop came in." p. 406.

County Donegal.—"To relieve the wandering beggar is considered, by the poorest class, as one of their religious duties. They never inquire into the cause of his being so, and they have a feeling that before long it may be their own case." p. 411.

"The Rev. Mr. M'Cann says, several small farmers have applied to me to lend them small sums, from 5*s.* to 15*s.*, in order to purchase provisions, whom *I know to have been very liberal in bestowing charity in the beginning of the year.*" p. 337.

"One of the witnesses stated that he knew persons to be obliged to dig up their potatoes a month before they were fit for it, who, if they had been more reserved in their alms in the beginning of the season, would easily have got through it." Ibid.

County Londonderry.—"None, even of those who had but one meal in the house, would refuse relief for God's sake." p. 427.

V. *The desertion of wives, by their husbands, is of rare occurrence.*

County of Roscommon.—"There are no instances of women being abandoned by their husbands." p. 24.

"*There are but two instances* in the parish (Moore) of women being deserted by their husbands." p. 213.

"Instances of women, with children, being deserted by their husbands, *are extremely rare.*"

County of Antrim.—"*Husbands very rarely desert their families.* A few, however, have done so, and have emigrated." p. 272.

VI. *When outrages take place, they are generally the result of grievous oppression.*

County of Galway.—"Starvation does not cause disturbance or outrage. When a man is turned out of his holding, and another put in his stead, revenge and sickness of heart cause crime." p. 195.

"There were 50 ejectments served in this neighbourhood this last month, all on persons holding from ten acres to twenty; some of them have ten children." p. 199.

County Kildare.—"The Rev. W. Boum states, that about the year 1826, upwards of 50 families were turned out of their holding, and driven to live by the road side, in miserable huts." p. 223.

"The Rev. Mr. Brennan states, they attribute all the midnight murders and assassinations to political causes. But I tell you, Sir, and am ready to swear, if necessary, that poverty and destitution are at the root." p. 224.

County Clare.—"Last May, 28 families were put out, and, next May, I am sure there will be as many more, in the parish of Killen." p. 284.

County Westmeath.—"Outrages have scarcely ever arisen from destitution." p. 348.

VII. *Sheer distress is the general cause of mendicancy.*

County Longford.—"The children of vagrants are, in most cases, observed to adopt industry, when they have grown up, although by that time their parents have, in general, passed the time of life for manual labour. The Rev. Mr. M'Cann states that he can, on the instant, name at least twelve industrious labourers, whom he has at one time seen begging." p. 339.

County Clare.—"It does not appear that those who are driven to beggary give up all thoughts of returning to a more decent state of life. On the contrary, even after being compelled to bear a vagrant life for years, a strong anxiety is felt for shaking off the disgrace. When the children grow up, the mothers generally leave off begging." p. 375.

County Cork.—"Though many beggars are physically better off than labourers, yet witnesses do not conceive that any became beggars from choice. None were known to do so except from necessity." p. 377.

County Galway.—"Very few become vagrants, in preference to remaining labourers—I should almost say none. I knew only one instance of a vagrant refusing work when offered to him." p. 282.

County Mayo.—"The general rule is, that men would rather take the lowest wages you could offer them for working, than be under the necessity of making so many applications to people's charity." p. 291.

County Roscommon.—"Vagrants are never persons who prefer that wandering life to one of labour. No one ever goes to beg that can avoid it. Beggars are not known to refuse work when offered to them." p. 313.

County Carlow.—"Very few adopt such a life (begging) in preference to remaining labourers; although there are instances of beggars in the country refusing to work at the ordinary wages, yet such instances are very rare." p. 318.

County Longford.—"It is stated that individuals reared in begging usually quit that mode of living when they arrive at the age of manhood." p. 333.

"Two years continued begging was considered to habituate persons to it; but the majority beg only when out of work, and return to industry as soon as an opportunity offers." p. 428.

"Children of beggars are brought to habits of industry after a certain age. No instance is known of a professional beggar from childhood. They enlist, emigrate, or become labourers. Not one case in a hundred of a sturdy male beggar." p. 391.

"Even those who have been reduced to beg, either personally or by their children usually return to industry, when they have recovered." Ibid.

County Kerry.—"The Rev. Mr. Fitzgerald observes that it is rare to see a person, who is capable of work, begging. The feeling against them would be very great." p. 380.

County Tipperary.—"No person takes to begging from choice. If they can procure the necessaries of life, they will not beg. *Begging is looked on as disgraceful.*" p. 391.

"An honest labourer would rather eat dry potatoes by his industry, than if he got beef by begging. And it is a common feeling among tradesmen and labourers, that *they would rather die than beg for relief.*" p. 394.

County Londonderry.—"None have been ever known to beg, who could by employment earn a livelihood. All the witnesses agree that *beggary was looked upon as a last resource*, to which, except in cases of necessity, they would not apply."—p. 418.

"The small farmers have never been known to become beggars voluntarily—but *have been frequently reduced to that condition.*" p. 419.

"All agree that few, if any, would beg, if by employment they could support themselves; and that a labourer with 5*s.* or 6*s.* a week, *would never permit his family to beg.*" p. 420.

County Carlow.—"The disinclination to adopt the last resource of begging is very great. It is looked on as disgraceful, and severe and protracted privation often precedes it." p. 143.

"There are many instances of their being driven to begging; but it is agreed on all hands, *they would be near starving before they would do so.* Mr. Townsend remarks, I remember the time when a labouring man would as soon be accused of a capital crime, as of begging. But now, from want of employment, they think nothing of it." p. 223.

VIII. *Absentees.*

County Kildare.—"All concur that there are but two instances of non-residents, who have subscribed." p. 141.

County Longford.—"One absentee draws 10,000*l.* per annum from the county, and 300*l.* from the parish, without contributing any thing to the poor." p. 157.

County Antrim.—"The gentry do not subscribe for the support of the poor. The absentees contribute nothing." p. 158.

June 8, 1837.

Since the preceding pamphlet was published, an important document has appeared, which sheds strong light on some of the facts therein stated, and the inferences drawn from them. This document contains statements of the proceedings of the criminal courts in several of the counties in Ireland, which fully corroborate the views in the Report of the Commissioners, appointed by the Melbourne administration, to investigate the situation of the poorer classes in Ireland. It appears beyond all question by these irrefragable statements, that the various outrages which have been the subject of so much clamour and abuse of the Irish character, have been the result, in a great measure, of grievous oppression and injustice, hopeless of redress, under the old regime. At present, under the wise and parental administration of Lord Mulgrave, it is fully proved that the Irish are as amenable to law and order as any people in Christendom. The criminal calender will bear an advantageous comparison with that of England, or even of the United States, and clearly shows that the Irish of the present day deserve the characters drawn of them by Edward Coke and Sir John Davies, quoted in a preceding page, but here introduced again, on account of their important bearing on the present condition of that country.

"I have been informed by many of those that have had judicial places there, and [know] partly of my own knowledge, that THERE IS NO NATION OF THE CHRISTIAN WORLD THAT ARE GREATER LOVERS OF JUSTICE

than they are; *which virtue must of course be accompanied by many others.*"—Coke, IV. 349.

"THERE IS NO NATION OF PEOPLE UNDER THE SUN THAT DOTH LOVE EQUAL AND INDIFFERENT JUSTICE BETTER THAN THE IRISH; *or will rest better satisfied with the execution thereof,* although it be against themselves; *so that they may have the protection and benefit of the law, when upon just cause they do desire it.*"—Sir John Davies, p. 213.

"In time of peace, *the Irish are more fearful to offend the law than the English, or any other nation whatsoever.*"—Idem, 200.

From a recent London publication.

THE STATE OF IRELAND.

"The state of Ireland at this moment affords a curious simultaneous illustration of the opposite effects of justice and injustice in the affairs of nations. Upon the one hand we see an upright executive producing profound social tranquillity, and, upon the other, an unjust branch of the legislature causing the highest degree of political excitement.

"The universal lightness of the county calenders, attested (sometimes reluctantly) by the judges, upon all the circuits, in their addresses to the grand juries, exhibits the results of a government which has had the wisdom and courage to espouse the people, and adopt the method of preserving peace by kind usage; while the rise of associations, and the rushing sounds of popular movements, show the effects of a parliamentary power at right angles with the line of the public interest and feeling. Here are the noverel and parental principles, and their respective consequences, in juxta-position. Here is the system of Lord Lyndhurst beside the system of Lord Mulgrave:—the voice of friendship disbanding the Whitefeet—the language of contumely organizing the people. Did the spirit of the executive guide the legislature, we should have just as little popular ferment as Rockite insurgency; and it is equally plain that did the spirit of the legislature move the administration, we should have both predial and political agitation in perfection, except so far as the latter might overrule and subdue the former.

"Of what potent efficacy is justice, although a medicine of the class of the simples! When a just executive has effected so much for Ireland, what might not be reasonably expected from a parliament actuated by the same wise spirit? Nothing can more strikingly demonstrate the tendency of the Irish people to peace and social improvement, than the advances which they have made in the way of order since the accession of the present ministry to office. From the legislature they have received nothing but a series of injuries and affronts. Of their manifold and vast grievances not one has been redressed, or so much as mitigated. Not a crum has fallen from the table of Dives; not a sore of Lazarus has been healed. The government has stood alone—the solitary source of contentment amongst a hundred springs of disaffection—the single element of quiet amidst a hundred causes of disturbance; yet, standing thus alone, see what it has performed! See the harvest that has sprung from a few seeds of justice, and remark also the virtue of the soil! how promptly it seconds the good husbandman, and refuses to yield tares, let the enemy scatter them in never such abundance.

"As the testimonies of the judges to the peace and moral improvement of Ireland are of the greatest value at this moment, both as replies to the foul calumnies, upon the grounds of which the lords refuse that country free institutions, and also as encouragements to the people of England and Scotland to persist in their efforts to obtain just laws as well as just government for their Irish fellow-citizens, we lay before our readers a few extracts from the judicial addresses to the grand juries of some of the most Catholic counties in the provinces of Leinster, Munster, and Connaught. We quote from the Irish papers, and we begin with Kilkenny, the state of which county, in the times of Lord Stanley and Sir William Gossett, furnished the main argument for the coercion act. Its condition, under the present administration, we learn from the lips of Baron Penefather and Chief Justice Doherty. Baron Penefather presided in the county court—

"He addressed the grand jury briefly, and said there was no offence in the calender requiring particular observation from him."

Chief Justice Doherty used similar language to the grand jury of the city—

"He had nothing more to say than to congratulate them upon the state of the calender, which contained only four, he might rather say three and a half, cases for trial."

Baron Penefather again in Wexford—

"He was happy to inform them that little was to be done in the criminal department of their duties. If the calender faithfully represented the state of the county, it afforded him matter of congratulation, for it was really surprising to see a county of such extent so free from crime."

The learned baron's *if* adds immense force to his high testimony. A compliment is doubled when it is manifestly wrung from him who pays it.

Judge Johnson at the Assizes of Kildare. He said:—

"The light state of your calender scarcely calls for any observation from me, with the exception of one or two cases which particularly call for attention and accuracy in the investigation."

Judge Burbon at Sligo—

"He congratulated the grand jury on the tranquil state of the county, as shown by the lightness of the calender. In amount, the offences were not more than might reasonably be expected in a county of such extent; and, with respect to quality, he was glad to find there was not a single case of murder."

Baron Foster in Clare—

"I am happy to congratulate you upon the great diminution of crime which has taken place in this county, compared with former periods. The total number on the calendar is 37. The number is inconsiderable; and though there are crimes of some enormity on it, still not one appears to partake of an insurrectionary character. There are some cases of homicide; the other crimes are incidental to every state of society."

The same judge to the grand jury of the city of Limerick:

"I am happy to inform you the calender is exceedingly light. The crimes for trial are only of such a nature as may be found in every, even the best regulated stages of society, and particularly amid the population of a densely inhabited city."

Judge Perrin congratulated the grand jury of the county of Limerick—

"On the reduced state of the calender, which was evidence of the peaceable state

of their county. There was no case on the calender demanding particular remark from him."

The remainder of this Appendix, the reader is requested to observe, is a sort of Olla Podrida, made up of detached articles, which, though bearing strongly on the topics discussed in this work, are generally insulated, and have no necessary connexion with each other.

THE LEGENDARY MASSACRE OF 1641.

Among the numerous legends propagated, and too generally believed, it is stated, by Sir Philip Warwick, that 200,000 Protestants were massacred in one week!! The pretended massacre was to have commenced on the 23d of October; yet we find, by a proclamation signed by nine of the council, that on the 29th of the month, *which terminates the week*, that the insurrection had not then extended to the old English of the pale, or of any other part of the kingdom; and that in the proclamation there is *no mention of massacre*, murder, nor even manslaughter.

By the Lords Justices and Council.

W. Parsons, John Borlase:

Whereas a petition hath been preferred unto us, by divers lords and gentlemen of the English pale, in behalf of themselves and the rest of the pale, and other the old English of this kingdom, shewing, that whereas a late conspiracy of treason is discovered of ill-affected persons of the old Irish, and that thereupon—

A proclamation was published by us, wherein, among other things, it is declared that the said conspiracy was perpetrated by Irish papists, without distinction of any; and they, doubting that by those general words of Irish papists they might seem to be involved, though they declare themselves confident that we did not intend to conclude them therein, in regard they are none of the old Irish, nor of their faction or confederacy, but are altogether averse and opposite to all their designs, and all other of like condition: we do, therefore, to give them full satisfaction, hereby declare and publish, to all his majesty's good subjects in this kingdom, that by the words Irish papists we intended only such of the old meer Irish, in the province of Ulster, as have plotted, contrived, and been actors in this treason, and others who adhere to them; and that *we did not any way intend or mean thereby any of the old English of the pale, nor of any other parts of this kingdom*, we being well assured of their fidelities to the crown, and having experience of the good affections and services of their ancestors in former times of danger and rebellion. And we further require all his majesty's loving subjects, whether protestants or papists, to forbear upbraiding matters of religion one against the other, and that upon pain of his majesty's indignation. Given at his majesty's castle of Dublin, the twenty-ninth of October, sixteen hundred and forty-one.

R. Ranelagh,
R. Dillon,
An. Midensis,
Ad. Lostus,
George Shurley,
Ger. Lowther,
Jo. Temple,
Fr. Willoughby,
Ja. Ware.

[Nalson, II. 631.

Specimens of the depositions on which the Irish were arraigned, found guilty, and plundered of their estates.

Matthew Browne, of Cloniss, gentleman, deposeth, that he heard Peter Bath say, that they looked to have the king, to put out the words, "Defender of the Faith;" for none was supreme of the Church, and defender of the faith, but the pope.

Richard Whiston of Kilvane [inter cæt.] deposeth, that Luke Birne of Kilvane said, he would have their religion flourish, no thanks to the king.

Edward Deasclye [inter cæt.] deposeth, that Luke Toole and Luke Birne, offered a pass to this examinant, which they said would be better than the king's pass.

William Wright of Culmonyn, [inter cæt.] deposeth, that John Good of Clomy Sawne and Dermot Mac Phelmi said, that they hoped to have all Protestants hanged within one fortnight, and him that did protect them.

Richard Knowles of Newtowne [inter alia] deposeth, that Rory Magwire, Richard Nugent, Donogh Magwire, by whose means he was robbed, some of the said robbers said, that they had a king of their own in Ireland.

Nicholas Michaell of Farnam [inter cæt.] deposeth, that he heard the parties that robbed him say, they had an Irish king amongst them, and they not regarded king Charles, the king of England.

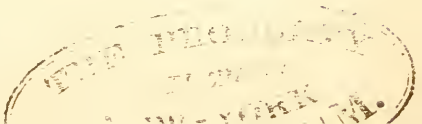
Martha Culme deposeth, that one Art. Mac Patriek, Mac Toole Boy, Mac Mahowne, speaking to her in Irish, she desired him to deliver himself in English, for she understood not Irish, who answered her in English, that such as spoke in English should pay ten shillings to the king; and that deponent demanding of him what king; he answered, what king but the Earl of Tyrone?—Rushworth, iv. 404, 405.

The case of Lord Castlehaven exhibits the utter disregard of honour, honesty, or justice of the lords justices, and their determination to plunder and ruin the Irish nobility and gentry, without the slightest grounds to palliate their rapacity.

CASE OF LORD CASTLEHAVEN.

"Among all the groundless pretences for bills of indictment of high treason at this time at Dublin, sure none could equal that which was found against Lord Castlehaven. He had offered his services to the ministers at the breaking out of this rebellion, and had been rejected on account of his religion; that he had desired a pass into England that he might attend the parliament there, of which he was a peer, which had been refused; and that he was ordered home to his house in the country, where he did all the service in his power to the distressed English. But now, on the mere pretence that a lame boy, blind of one eye, kept by his lordship out of charity to whip the dogs away, had been instrumental to a servant of Lord Antrim's being taken by the rebels, Lord Castlehaven was indicted of high treason. Colonel Touchet, his brother, being then at Dublin, where the bill was found, as soon as he heard of it, went and complained to the lords justices of this ill usage; but, however, he said he would go and fetch his lordship up, if they would assign him a party of horse for a convoy; which they refusing, he went accompanied with some of his friends. The earl was surprised, but came immediately with them; and as soon as he arrived at Dublin, addressed himself to Lord Ormond, whilst his brother went to the council to inform them that Lord Castlehaven was there. Their answer was, that they could say nothing to it till his lordship appeared before them; and when he waited at the castle, for that purpose, they committed him, without calling him in, to the custody of one of the sheriffs of Dublin. After the many extraordinary things that we have seen were done by this administration, we shall not wonder at this treatment of a peer of England, as well as of that kingdom."—Warner, 200, 201.

Examination of Hugh Oge M'Mahon, one of the persons accused



by the perjurer O'Connally, of the legendary project of seizing the castle of Dublin on the 23d of October, 1641.

The examination of Hugh Oge Macmahon, of Connaught, in the county of Monaghan, Esquire, aged 35 years, or thereabouts, taken before the right honourable the lords justices and council.

"The said examinat saith, that he thinks there will be trouble this day throughout all the kingdom of Ireland, and that all the fortifications of Ireland *will be taken this day*, as he thinks; and he saith, that he thinks that it is so far gone by this time that Ireland cannot help it; he saith he was told this by captain Bryan O'Neal; he saith that captain Bryan O'Neal and captain Hugh Burne were designed for the surprising of the castle of Dublin, and that if this examinat were one for surprizing the castle of Dublin, these captains were principal therein; he saith the place of meeting was to be at the examinat's lodging; he saith that *twenty prime men of every county in Ireland* were to be at Dublin, this last night, concerning this matter; and that they were to consult of it this morning at the examinat's lodging; their weapons were to be swords and skenes, and that the captains that were raising men in the Irish counties were they that should bring men hither to second the business; he saith when they had Dublin, they made sure of the rest, and expected to be furnished with more arms at Dublin; he said I am now in your hands, use me as you will, I am sure I shall be shortly revenged. And being demanded whether the lord Macguire was one appointed to this business, he at last said he thought he was.

WILLIAM PARSONS,

R. Dillon, Tho. Rotherham,
Ad. Loftus, R. Meredith.
J. Temple, [Nalson, II. 521.

To comment on this most miserable Arabian or Munchausen Tale, would be a mere waste of time. Of 640 conspirators (twenty out of each of the thirty-two counties) which O'Connally swore were to assemble (whether in Kendal Green, or buff and blue, is not stated), only two were ever taken or examined, and the above related story palmed on one of them, proves that the justices by whom it must have been concocted were as deficient of skill as of honesty or justice.

In a preceding part of this work, I have given a slight sketch of the following law case; but deem it proper to present it at full length, in all its hideous deformity, as stated in the Reports of Gorges Edmond Howard, to display, to the abhorrence of the reader, the piratical execution of the more than piratical code of "laws to prevent the growth of popery," which Edmund Burke so justly stigmatized as "ferocious." It appears that a valuable manor was wrested from the *bona fide* purchasers fifteen years after purchase, by a quibble which would have better become a court held in a cavern by Blackbeard, Kidd, and Morgan, than the House of Lords in England, by which, on appeal, the iniquitous award was sanctioned, and the property transferred to the rapacious informer.

"TOMLINSON *against* FARRELL,

"*In Chancery, 13th December*, 1759; *the case was thus:*

"The defendant Edward Farrell was born of popish parents, and was educated in and professed the popish religion, long after he had attained his age of twelve years; but before he had attained his age of twenty-one years, to wit, on the 26th day of November, 1741, he first declared himself a protestant, and on the said 26th of November, 1741, did publicly in the parish church of St. Bridget's, in the city

of Dublin, renounce the errors of the church of Rome, and on the 28th day of November, 1741, obtained from the then Lord Archbishop of Dublin, a certificate that he had renounced the errors of the church of Rome, as aforesaid.

"On the 3d day of December, in the said year 1741, the defendant filed the said certificate in the roll's office of the court of chancery.

"On Sunday the 16th day of May, 1742, and not before, the defendant took and received the Holy Sacrament of the Lord's-supper, according to the order and usage of the church of Ireland, in the parish church of St. Peter, in the city of Dublin, and obtained a certificate thereof from the minister and church-wardens of the said parish.

"In Easter Term, that is to say on the 26th day of May, in the said year 1742, the defendant produced, proved, and filed, his certificate, in his majesty's court of King's Bench, and on the same day, and not before, there made and subscribed the declaration, and took the oath of abjuration, pursuant to the act.

"And on the 23d day of August, 1742, filed in the roll's office of the court of chancery, a certificate that he had taken the oath of abjuration, and subscribed the declaration.

"And on the 18th day of January, 1754, by deeds of lease and release, bearing date respectively the 17th and 18th days of January, 1754, for the considerations therein mentioned, Francis O'Farrell, and others, granted and conveyed the manor, town and lands of Mornine, in the county of Longford, and other lands, unto the defendant his heirs and assigns for ever.

"On the 15th day of January, 1755, the plaintiff Samuel Tomlinson exhibited his bill, grounded on the several acts of parliament made in the kingdom of Ireland, to prevent the further growth of popery, against the defendant as a protestant discoverer to be decreed to the said purchased premises, alleging, that, by the popery laws of Ireland, the defendant was disqualified to make the said purchase, because he did not take and subscribe the oaths, and repeat and subscribe the declaration, nor file a certificate thereof in the court of chancery, or one of the four courts at Dublin, *within* six lunar months *from the 26th of November*, 1741, though he complied with all the requisites a few days after the six months expired.

"To this bill the defendant pleaded and answered, admitting by his answer that he was born of popish parents, and professed the popish religion until he was of years of discretion; but by his plea set forth the performance of the requisites herein before mentioned, in such manner and at such times as herein also mentioned; that since his conformity he had attended the service of the church, and duties of religion as a protestant; and had several times received the sacrament, according to the usage of the church of Ireland; and had, upon divers occasions, taken and subscribed the oaths, and repeated and subscribed the declaration mentioned in the statute. He denied that he was then a papist, or had been so at any time since the 26th of November, 1741; but admitted he was born of popish parents, and educated in and professed the popish religion: but that before he had attained his age of twenty-one years, he did, on the 26th day of November, 1741, first profess and declare himself a protestant, and had never since been a papist.

"The plea was argued on the 4th day of July, 1755, and it was then ordered, that the benefit thereof should be reserved to the hearing of the cause, with liberty to the plaintiff to except to some particular matters mentioned in the order.*

"The plaintiff, on the 25th day of July, 1755, filed exceptions to the plea and answer, and the defendant on the 28th day of April, 1756, put in a further answer; and the plaintiff having replied to the defendant's answers, and the cause being at issue, witnesses were examined on the plaintiff's part, but none for the defendant.

"The cause having come on to be heard in Trinity Term, 1758, it was argued for the plaintiff;

* "It being a part of the prayer of the bill, that the defendant should bring the title deeds into court, and to set out under what title, and from whom he claimed, and at what time he purchased, Lord Chancellor was at first unwilling to determine this point upon the plea, thinking that as it did not appear clearly that the plea should be overruled, the defendant should bring the deeds into court, and set forth his title; but afterwards directing the benefit of the plea to be reserved till the hearing, with liberty to the plaintiff to except, &c., he would not oblige the defendant to disclose his title, or from whom he purchased."

"First; that it was admitted by the defendant that he was a papist until the age of discretion; that the act of 8 Anne, § 14., positively ordains, that no convert from the popish to the protestant religion shall be deemed a protestant, within the intent of that or the former act, 2d Anne, or take benefit thereby, notwithstanding such person so professing himself a protestant shall procure a certificate from the bishop, unless he shall, *within the space of six months next after his declaring himself a protestant*, receive the sacrament, make and subscribe the declaration there mentioned, and take the abjuration oath, and file certificates thereof in some of the courts of justice; which the defendant had not done; that his recantation from popery was on the 26th of November, 1741; *the six months from that time must, by the known rules of law, be construed to be not calendar, but lunar, months, so that they expired the 19th of May*, 1742, and the defendant did not receive the sacrament *until the 16th*, nor take the oath and subscribe the declaration until the 26th of that same May; that he never therefore complied with the requisites of the acts; and when the legislature imposes terms, and prescribes a thing to be done, within a certain time, the lapse even of a day is fatal, as no inferior court can admit of any terms, but such as directly and precisely satisfy the law.

"Secondly; that the two acts of the 2d and 8th of Anne, being in *pari materia*, and the latter made for explaining and amending the former, are to be taken and construed together, as making but one law; that the 2d Anne, s. 7, 8., disables papists from purchasing any estate in land but for thirty-one years, and declares that the children of papists shall be taken for papists, until by their conformity they appear to be protestants; what the conformity must be is laid down in precise terms, by 8 Anne, s. 14, viz. besides recantation, certified by the bishop, the oath must be taken, and the declaration subscribed, within six months, else no convert is to be deemed a protestant, within the intent of that or the former act, or to take benefit thereby; and this rule is plainly meant to enlarge and enforce the provision in s. 15, of the former act. That the defendant therefore, as a child of a papist, and himself a papist, was absolutely disabled from purchasing beyond terms of thirty-one years, and could never take benefit of the provision made for converts, *i. e.* remove his disability, but by such a conformity as the acts require.

"Thirdly. That a full performance of all the requisites of the acts is admitted to be necessary for a converted son to reduce his popish father to a tenancy for life, upon s. 3, of 2d Anne, and for enabling converted papists to take by descent, or a remainder limited by devise or gift, after the death of a protestant, upon s. 8, and for preventing the gavel-kind, and preserving the estate in a regular course of descent, upon s. 10 and 12, all which are old rights; and it is impossible the legislature should not intend an equal notoriety of conversion for the acquisition of new rights as for the preservation of old; otherwise if the defendant's father, who is a papist, or any protestant ancestor of his should die, seized of lands of inheritance, he could take but in gavel-kind from the one, and not at all from the other, until his full conformity, but might take as much as he pleased by original purchase; so that as to one purpose, he would be still a disabled papist, but as to the other, a qualified protestant, which was surely too absurd to be countenanced.

"Fourthly. That by 6 Geo. I. chap. 6, the children of popish parents, who from the age of twelve years have been constantly bred up in the protestant religion, cannot by such education, without having also received the sacrament, remove their disability; nor are they upon a relapse, after the age of eighteen, guilty of *præmunire*, without that essential performed; which shows that bare profession of protestantism, without more, neither qualifies nor subjects to penalty, and the law never meant more favour to the children of papists, continuing papists to their manhood, than to those educated protestants from twelve years of age.

"Fifthly. And that the defendant, though his answer was replied to, and thereby his popery fully in issue, had not proved one single act of conformity to the established church, from his taking the oaths in May, 1742, but had rested his defence on the sufficiency of a bare declaration of protestantism, which pretty clearly evinced how great was the sincerity of his conversion.

"It was argued, for the defendant;

"First. That it had been adjudged in many cases determined in Ireland, upon the statutes 2d and 8th of Queen Anne, that no strict mode of conformity is required, to enable a convert from popery to purchase lands, or any specific evidence

of it; for that under both acts no person is disqualified to purchase but a papist, or person professing the popish religion. In which case the *onus* of proof lies on the party, who seeks to take advantage of the disability. And that the rule had never been laid down, that in such a case it would be sufficient for a protestant discoverer to prove the defendant the son of a papist, and that he continued such till the age of twelve years, without showing him a papist, or person professing the popish religion, at the time of his purchase; because though he may not be a protestant convert, conforming to the established church, so as to entitle himself to the benefit of new rights, or to the restitution of old ones, within the words of these statutes; yet it does not follow, that he must therefore of necessity be a papist, within the disabling or penal clauses.

"Nay, it was even urged by some of the counsel for the defendant, that a man's declaring himself a protestant, without performing any of the requisites of the acts, sufficiently enables him to purchase; that being the subject's birth-right, and not to be considered as taking benefit of the acts, and that such had been the received opinion.*

"Secondly. That the statute 4th George I. c. 9, which is a perpetual law for encouraging protestant strangers, clearly shows that the intention of the legislature was to make Ireland a protestant country, yet there are no particular terms of conformity imposed upon such protestant strangers, but to take the oaths and subscribe the declaration; and these persons, though perhaps papists the day before they landed in Ireland, are not only naturalized and made free of corporations, but have several other privileges and immunities; that it would therefore be harsh and unreasonable to say, that a natural born subject, who has conformed in his minority, and is still a protestant, shall be stripped of his purchase, as a papist, in favour of an informer, even supposing he had made some trifling mistake in the mode of his conformity, or in the time of taking the oaths, or in perpetuating the evidence, by which it is required to be proved.

"Thirdly. That if this determination should stand, *estates in Ireland to an immense value, which have been purchased by converts, who have not filed certificates within six lunar months*, (omissions most frequently imputed to attornies and others, appointed by persons remote from Dublin,) *will be wrested not only out of their hands, and the hands of their legal representatives, by popish heirs and protestant informers*, but from protestant purchasers, who have bought from and derived title under them; for a purchase from a disqualified person leaves the estate in the hands of a purchaser open to the demand of the heirs, or suit of the informer, as much as it was in the hands of the first purchaser; nor is there any limitation of time prescribed to this discoverer's suit.

"And fourthly. That many other inconveniences will also follow from this determination; the children of a convert father or mother, who may have omitted to file such certificates, must be looked upon as papists, if such children shall not be able at any distance of time, when the question may arise, to make precise proof that they have been protestants from the age of twelve years; converts from popery who have conformed to the established church in England, or in the Colonies, as the laws of England require, or who have joined themselves to protestant dissenters, under the protection of the toleration act in England, will nevertheless, in Ireland, be subject to all the disabilities and incapacities to which the papists are liable. And converts from popery, omitting to file such certificates within the time limited, *will be protected from prosecutions for relapsing to popery*, even though it should be otherwise notorious, from the most satisfactory and authentic proofs, that they once conformed to the established church.

"These being the arguments used by the counsel for the parties, on the hearing,

* "In the reply of the plaintiff's counsel it was denied that such had been the received opinion, unless the evasion from 2d of Anne, recited in the preamble of 8 Anne, as the cause of making that act, can be called a received opinion. That there was not, nor could be one single judicial determination to warrant this pretence, which would make these acts absurd, contradictory and inconsistent; and even should such a mischief, as is suggested, befal a few protestant purchasers, (which it is not admitted would be the case,) it is not to be put in competition with the inconveniencies attending the construction contended for by the defendant, whereby every pretended convert, upon a bare declaration of his being a protestant, may be at liberty to purchase, contrary not only to the whole scope and intention, but to the very letter of the acts."

on both sides, and his lordship having taken time to consider thereof, until the 25th day of January, 1759, was then pleased to order that a case should be stated upon the pleadings and proofs in the cause, and sent to the court of King's Bench, for their opinion, 'Whether the defendant, at the time of the purchase in the pleadings mentioned, was a person qualified to purchase lands of inheritance, according to the true intent and meaning of the popery acts in the pleadings mentioned, or not.'

"A case was accordingly settled and agreed to on both sides, and sent to the said court, as is first stated.

"And the question was, whether the defendant Edward Farrell, at the time of making the said purchase, was duly qualified, according to the several acts of parliament made in the said kingdom against the further growth of popery, to become a purchaser of the said lands of inheritance in fee-simple for his own use and benefit.

"The said case, so stated and agreed to, was argued by counsel on both sides, in Easter and Trinity Terms, 1759, before the lord Chief Justice Caulfield, and Mr. Justice Robinson, and on the 4th of July, 1759, they respectively certified their opinions as follows:

"If the defendant, Edward Farrell, was really a protestant at the time of his purchase, I think he was well qualified to make such purchase, without performing all or any of the requisites mentioned in the first and second popery acts; but as it does not appear to me, in this case, that the defendant is either admitted or proved to be really a protestant, the bare performing the requisites in the said acts, thirteen years before his purchase, without more either before or since, is, I think, hardly sufficient to prove him a protestant.

"St. George Caulfield.

"Upon consideration of the foregoing case, inasmuch as the defendant Edward Farrell, who is a convert from popery, did not complete his conformity to the Church of Ireland, as by law established, by performing all the additional requisites within the time prescribed, I am of opinion, that, at the time of making the purchase in the case mentioned, he was not duly qualified, according to the several acts of parliament made in this kingdom against the further growth of popery, to become a purchaser of the said lands of inheritance in fee-simple for his own use and benefit. And I humbly submit to your lordship the following grounds and reasons of my opinion.

"First. I conceive that the children of papists, who profess the popish religion after attaining their age of twelve years, whatever their religion really and in fact may afterwards be, remain, and are papists by construction of law, until by a regular and complete conformity they appear to be protestants; and by a clause in the same act of the second of Queen Anne, every papist, (as well as persons professing the popish religion) is disabled from purchasing estates in land, other than terms not exceeding thirty-one years. Wherefore, in my opinion, this class of constructive papists, to which the defendant belongs, falls within the express letter of this disability.

"Secondly. This opinion, I apprehend, receives strength from another clause in that act, which directs, that no person shall take benefit by it, as a protestant, within the intent and meaning thereof, who shall not perform the requisites therein prescribed; forasmuch as I conceive removing a disability to be taking a benefit, especially upon the construction of these laws, which in many instances have made regular conformity requisite for even the preserving old rights.

"Thirdly. And this opinion is, in my apprehension, farther enforced by the clause in the act of the 8th of Queen Anne, which enacts, That no person, who hath turned or shall turn from the popish to the protestant religion, as by law established, shall be deemed or taken to be a protestant, within the intention of that or the former act, or shall take benefit thereby, without also performing the additional requisites therein mentioned.

"Fourthly. These two acts, I conceive, are to be construed as if originally one and incorporated together; the second being to amend as well as explain the first. And the construction above given seems to me to make the two laws stand most consistently together, and to give all the material words in both an effectual and uniform operation, without rejecting any of them, or forcing them into an ungrammatical meaning, and without supposing the legislature to make use of vain and

unnecessary repetition; to all which objections, every other interpretation offered before us in argument seems to me to be liable.

"Fifthly. As under the express letter of these laws the children of papists, professing the popish religion after their age of twelve years, are until a regular and complete conformity to be deemed papists, and consequently as I conceive, disabled from purchasing; so this opinion seems to me most effectually to answer the design and ends of these laws, which in this respect, I apprehend, ought not to be considered as penal, but as remedial and constitutional laws, made for the preservation and security of the protestant interest and establishment in this kingdom.

"It appears (among other reasons) from the sacramental test, introduced in the first of these laws, that one great end of them was to increase the members of the established church, and this end is best and most consistently answered, by exacting from converts a regular and complete conformity in acts of public notoriety, authentically evidenced by matter on record.

"Sixthly. By holding converts to such conformity the public is best secured against their relapsing to popery, which, without such a regular conformity, I conceive to be an offence not punishable under the acts of Queen Anne; and this seems to have been the opinion of the legislature, in the act of the 6th of King George I., for when the regular conformity of the children of papists was dispensed with, in the circumstances therein mentioned, a special clause was thought neeessary to make their relapse penal.

"Seventhly. A regular and complete conformity *is necessary for a converted son to make his father tenant for life*, or to preserve the ordinary course of descent against the gavel-kind; it is no less necessary to entitle a convert to take by gift, devise, or remainder, estates in lands which had belonged to protestants; the right to keep or to take in these two last mentioned ways is as much an ordinary right of subjects, as that of acquiring by purchase; and the removing the disability of papists, in all these several cases, is an equal benefit, and not more a benefit in any one of the cases than in another. The legislature has required the removal of the disability, by solemn acts of notoriety, for taking or keeping their family estates; and it would, in my opinion, be unreasonable to suppose, against the letter of the law, an intention to leave converts looser as to acquiring new property; which in the common course of things must be a more likely means of continuing and keeping up a landed interest.

"Chr. Robinson.

"The cause was heard in the court of chancery, on the said two certificates, and the merits, the 12th, 13th, and 16th days of November, 1759, and the lord chancellor took time to consider until the 13th of December following; when it was ordered, adjudged and decreed, that the plaintiff as first protestant discoverer, by virtue of the popery acts in the pleadings mentioned, was entitled to the benefit of the purchase made by the defendant of the lands in the pleadings mentioned, and that an injunction, directed to the sheriff of the county of Longford, should be awarded to put the plaintiff into and from time to time to quiet and establish him in the possession of the said lands; and that the defendant should deliver over to the plaintiff all deeds, conveyances, and writings, any way relating to the title of the said lands; and that the plaintiff should make up and enroll a decree with costs.

"From this decree the defendant, Edward Farrell, appealed to the house of lords of Great Britain, on the 19th of February, 1761, who affirmed it in omnibus."*

* "Afterwards, the very same question received the like determination in this court, in the case of Nugent against Nugent and Lord Howth, and the contrary, in December, 1762, although it was fully proved in the cause, by evidence of the first credit, that the person who had become convert had never shown the least disposition to relapse, but the contrary absolutely, by a strict and constant attendance on the established worship and the Holy Sacrament to the latest moments of his life, and that he died a sincere protestant; and although he had devised his estate to a protestant, in prejudice of his brother and heir at law, who was also a convert, but had regularly conformed; thus strictly are these laws (considered as remedial) generally construed."

The following Detail of the enormous exactions, oppressions, and rapine, perpetrated on the Irish, was, after due debate, agreed to by a Convention of Delegates from all parts of the kingdom, held at Trim, March 17, 1642.

"*To the King's Most Excellent Majestie.*

"Most gracious Sovereign.

"Wee your majestie's most dutifull and loyall subjects the catholiques of your highness' kingdome of Ireland, being necessitated to take armes for the preservation of our religion, the maintenance of your majestie's rights and prerogatives, the natural and just defence of our lives and estates, and the liberties of our country, have often since the beginning of these troubles attempted to present our humble complaynts unto your royal view; but we are frustrated of our hopes therein by the power and vigilance of our adversaryes, (the now lords justices and other ministers of state in this kingdom,) who by the assistance of the malignant partie in England now in armes against your royall person, with less difficultie to attain the bad ends they proposed to themselves of extirpateing our religion and nation, have hitherto debarred us of any access to your majesty's justice, which occasioned the effusion of so much innocent blood, and other mischiefs in this your kingdom, and that otherwise might well bee prevented. And whereas of late notice was sent unto us of a commission granted by your majestie to the right honorable the Lord Marques of Ormond, and others, authorizing them to heare what we shall say or propound, and the same to transmit to your majestie in writing, which your majestie's gratious and princely favour, wee finde to be accompanied with these words, viz.—(*albeit wee doe extreamly detest the odious rebellion which the recusants of Ireland have without ground and colour raysed against us, our crowne, and dignitie,*) which words wee doe in all humilitie conceive to have proceeded from the misrepresentations of our adversaries; and therefore doe protest, we have been therein maliciously traduced to your majestie, having never entertayned any rebellious thoughts against your majestie, your crowne or dignitie; but allways have been, and ever will continue your majestie's most faithfull and loyall subjects, and doe most humbly beseech your majestie soe to owne and avowe us; and as such wee present unto your majestie these ensueing grievances and causes of the present distempers.

"Imprimis, The catholiques of this kingdome, whome no reward could invite, no persecution could enforce to forsake that religion professed by them and their ancestors for thirteene hundred years, or thereabouts, are since the second yeare of the reigne of Queene Elizabeth, made incapable of places of honour or trust, in church or commonwealth, their nobles become contemptible, their gentry debarred from learning in universities, or publick schools within this kingdom; their younger brothers put by all manner of imployment in their native country, and necessitated (to their great discomfort, and impoverishment of the land) to seeke education and fortune abroad; misfortunes made incident to the said catholiques of Ireland only, (their numbers, qualitie and loyalltie considered) of all the nations of Christendome.

"2dly, That by this incapacitie, which in respect of their religion was imposed upon the said catholiques; men of meane condition and qualitie for the most part, were in this kingdome imployed in places of the greatest honour and trust, who being to begin a fortune, built it on the ruines of the catholic natives, at all times lying open to be discountenanced and wrought upon, and who (because they would seeme to be carefull of the government,) did from tyme to tyme suggest false and malicious matters against them, to render them suspected and odious in England; from which ungrounded informations, and their many other ill offices, these mischiefs have befallen the catholiques of Ireland, first the oppositions given to all the graces and favours that your majestie or your late royall father promised, or intended to the natives of this kingdom." "Secondly, the procuring false inquisitions upon feigned titles of their estates, against many hundred years' possession, and no travers or petition of right admitted thereunto, and jurors denying to find such offices were censured even to publique infamie and ruine of their estates;

the findeing thereof being against their consciences and evidences, and nothing must stand against such offices taken of great and considerable parts of the kingdome, but letters pattent under the great seale; and if letters patent were produced (as in most cases they were,) none must be allowed valid, nor yet sought to be legally avoided: soe that of late times, by the underhand working of Sir William Parsons, knight, now one of the lords justices here, and the arbitrary illegal power of the two impeached judges in parliament, and others drawn by their advise and counsell, one hundred and fifty letters patents were avoyded one morning; which course continued *until all the patents of the kingdom to a few were by them and their associates declared void;* such was the care those ministers had of your majestie's great seale, being the publique faith of the kingdom; this way of service in show only pretended for your majestie, proved to your disservice, and to the immoderate and too timely advancement of the said ministers of state, and their adherents, and nearly to the utter ruine of the said catholiques.

"3dly. That, whereas your majestie's royall father, King James, having a princely and fatherly care of this kingdome, was graciously pleased to graunt several large and beneficial commissions, under the great scale of England, and several instructions and letters under his privie signett, for passing and securing the estates of his subjects here by letters pattents under the great seale, and letters pattents accordingly were there passed, fynes payed, old rents encreased, and new rents reserved to the crowne. And the said late king was further gratiously pleased, att several tymes to send divers honorable persons of integritie, knowledge, and experience, to examine the grievances of this kingdome, and to settle and establish a course for redress thereof. And whereas, your majestie was gratiously pleased, in the fourth year of your reigne, to vouchsafe a favourable heareing to the grievances presented unto you by agents from this kingdome; and thereupon did graunt many graces and favours unto your subjects thereof, for securitie of their estates, and redress for remove of those heavie pressures, under which they have long groaned; which acts of justice and grace extended to this people by your majestie, and your said royall father, did afford them great content, yett such was, and is yett, the immortall hatred of some of the said ministers of state and especially of Sir William Parsons, the said impeached judges and their adherents, to any welfare and happiness of this nation, and their ambition to make themselves still greater and richer, by the total ruine and extirpation of this people; that under pretence of your majestie's service, the publique faith involved in those grants were violated, and the grace and goodness intended, by two glorious kings successively to a faithfull people made unprofitable.

"4th. The illegal, arbitrary, and unlawfull proceedings of the said William Parsons and one of the said impeached judges and their adherents and instruments in the court of wards, and the many wilfully erroneous decrees and judgments of that court, by which the heirs of catholique noblemen and other catholiques were most cruelly and tyrannically dealt withall, destroyed in their estates, and bred in dissolution and ignorance, their parents' debts unsatisfied, their younger brothers and sisters left wholly unprovided for, the auncient and appearing tenures of mesne lords unregarded; estates valid in law, and made for valuable considerations, avoyded against law; and the whole land filled upp with the frequent swarms of exheators, feodaryes, pursuivants, and others by authoritie of that court.

"5th. The said catholiques, notwithstanding the heavy pressures beforementioned, and other grievances, in part represented to your majestie by the late committees of both houses of parliament of this kingdom (whereunto they humbly desire that relation being had, and redress obtained therein) did readyly and without reluctance or repining, contribute to all the subsidies, loanes and other extraordinary graunts made to your majestie in this kingdome, since the beginning of your reigne, *amounting unto well neare one million of pounds, over and above your majestie's revenue,* both certain and casuall; and although the said catholiques were in parliament and otherwise the most forward in graunting the said sumes, and did bear nyne parts of ten in the payments thereof, yet such was the power of their adversaryes and the advantage they gained by the opportunitie of their continuall address to your majestie, to encrease their reputation by getting in of those moneys, and their authoritie in the distribution thereof to your majestie's great disservice, that they assumed to themselves to be the procures thereof and represented the said catholiques as obstinate and refractory.

"6th. The army raised for your majestie's service here at the great charge of the

kingdome was disbanded by the pressing importunitie of the malignant partie in England, not giving way that your majestie should take a desire therein with the parliament here; alledging the said army was popish, and therefore not to be trusted; and although the world could witness the unwarrantable and unexampled invasion made by the malignant partie of the parliament of England, uppon your majestie's honour, rights, prerogatives, and principal flowers of your crowne; and that the said Sir William Parsons, Sir Adam Loftus, knight, your majestie's vice-treasurer of this kingdome, and others their adherents did declare that an army of ten thousand Scotts was to arrive in this kingdome, to force the said catholiques to change their religion, and that Ireland could never doe well without a rebellion, to the end the remaine of the natives thereof might be extirpated; and wagers were laid at general assizes and public meetings, by some of them then, and now employed in places of greate profitt and trust in this kingdome, that within one yeare no catholique should be left in Ireland, and that they saw the ancient and unquestionable priviledges of the parliament of Ireland unjustly and against law encroached uppon, by the orders, acts, and proceedings by both houses of parliament in England, in sending for and questioning, to, and in that parliament, the members of the parliament of this kingdome, sitting the parliament here; and that by speeches and orders printed by authoritie of both houses in England, it was declared that Ireland was bound by the statutes made in England, if named; which is contrary to the knowen truth and the laws here settled for foure hundred yeares and upwards: and that the said catholiques were thoroughly enformed of the protestation made by both houses of parliament of England against catholiques, and of their intention to introduce lawes for the extirpation of catholique religion in the three kingdomes, and that they had certain notice of the bloody execution of priests there, only for being priests, and that your majestie's mercy and power could not prevaile with them to save the lyfe of one condemned priest. And that the catholiques of England being of their owne flesh and blood, must suffer or depart the land, and consequently others of not so neere a relation to them, if bound by their statutes, and within their power. These motives, although very strong and powerful to produce apprehensions and feares in the said catholiques, did not prevail with them to take defensive armes, much less offensive, they still expecting that your majestie in your high wisdome might be able in a short tyme, to apply seasonable cures and apt remedies unto those evills and innovations.

"7th. That the committees of the lords and commons of this kingdome, having attended your majestie for the space of nyne months, your majesty was graciously pleased, notwithstanding your then weightie and urgent affairs in England and Scotland, to receive, and very often with very great patience, to hear their grievances, and many debates thereof at large, during which debates, the said lords justices, and some of your privy councill of this kingdome, and their adherents, by the malitious and untrue informations, conveyed to some ministers of state in England, (who since are declared of the malignant partie,) and by their continuall solicitation of others of the said privy councill gone to England of the purpose to cross and give impediment unto the justice and grace your majestie was inclined to afford to your subjects of this realme, did, as much as in them lay, hinder the obtayning of any redress for the said grievances, and not prevailing therein with your majestie, as they expected, have by their letters and instruments, laboured with many leading members of the parliament there to give stopp and interruption thereunto; and likewise transmitted unto your majestie and some of the state of England, sundery misconstructions and misrepresentations of the proceedings and actions of your parliament of this kingdome, and thereby endeavoured to possess your majestie with an evill opinion thereof; and that the said parliament had no power of judicature in capitall causes, (which is an essentiall part of parliament) thereby aymeing at the importunitie of some of them, and others who were then impeached of high treason, and at the destruction of this parliament; but the said lords justices and privie councell observeing that no art or practice of theirs could be powerfull to withdraw youre majestie's grace and good intentions from his people, and that the redress graunted of some particular grievances was to be passed as acts of parliament; the said lords justices and adherents, with the height of malice, envieing the good union long before settled, and continued between the members of the house of commons, and their good correspondence with the lords, left nothing unattempted, which might rayse discord and disunion in the said house, and by some of themselves and some instruments of theirs in the commons house, private meetings of greate

numbers of the said house were appointed, of purpose to rayse distinction of nation and religion by meanes whereof a faction was made there which tended much to the disquiet of the house, and disturbance to your majestie's and the publique service; and after certain knowledge that the said committees were by the water side in England with sundry important and beneficial bills, and other graces to be passed, as acts in that parliament, of purpose to prevent the same, the said faction, by the practise of the said lords justices, and some of the said privy councill and their adherents, in a tumultuous and disorderly manner on the seventh day of August 1641, and on several days before, cryed out for an adjournment of the house and beinge over voted by the voices of the more moderate partie, the said lords justices and their adherents told several honourable peers that if they did not adjourne the lords house on that day, being Saturday, that they themselves would prorogue or adjourn the parliament on the next Monday following, by means whereof, and of great numbers of proxies of noblemen, not estated, nor at any tyme resident in this kingdome (which is destructive to the libertye and freedom of parliaments here,) the lords house was on the said seventh day of August adjourned, and the house of commons by occasion thereof, and of the faction aforesaid, adjourned soon after; by which means those bills and graces according to your majesties intention and the great expectation and longing desires of your people could not then pass as acts of parliament.

"Within few dayes after this fatall and enforced adjournment, the said committees arrived at Dublin with their dispatch from your majestie and presented the same to the said lords justices and councill, expressing a right sence of the said adjournment, and besought their lordships, for the satisfaction of the people, to require short heads of that part of the dispatch wherein your majestie did appeare in the best manner unto your people, might be suddenely conveyed unto all the partes of the kingdom, attested by the said lords justices to prevent despaire or misunderstanding. This was promised to be done, and an instrument drawen and presented unto them for this purpose, and yet, as it seems desiring rather to add fuell to the fire of the subjects discontents than quench the same, they did forbare to give any notice thereof to the people.

8th. After this, certain dangerous and pernitious petitions contrived by the advice and councell of the said Sir Wm. Parsons, Sir Adam Loftus, Sir John Clotworthy, knights, Arthur Hill, Esq., and sundry other of the malignant partie, and signed by many thousands of the malignant partie in the citty of Dublin, in the province of Ulster, and in sundry other of the partes in this kingdome, directed to the commons house in England, were at publique assizes and other publique places made known and read to many persons of qualitie in this kingdome, which petitions contayned matters destructive to the said catholiques, their religion, lives, and estates, and were the more to be feared by reason of the active power of the said Sir John Clotworthy in the commons house in England, in opposition to your majestie and his barbarous and inhumane expressions in the house against catholique religion and the possessors thereof; soon after, an order conceaved in the commons house in England, that no man should bowe unto the name of Jesus (att the sacred sound all knees should bend,) came to the knowledge of the said catholiques, and that the said malignant partie did contrive and plott to extinguish their religion and nation. Hence it did arise that some of the said Catholiques begun to consider the deplorable and desperate conditione they were in by a statute law here found amongst the records of this kingdome of the second yeare of the reigne of the late Queen Elizabeth: but never executed in her tyme, nor discovered till most of the members of that parliament were dead, by which no catholique of this kingdome could enjoy his life, estate, or lyberty, if the said statute were executed: whereunto no impediment remayned but your majesties prerogative and power which were endeavoured to be clipped or taken away, as before has been rehearsed; then the plott of destruction by an army out of Scotland, and another of the malignant partie in England must be executed; the feares of those twofold destructions and their ardent desire to mainetaine that just prerogative which might encounter and remove it, did necessitate some catholiques in the North about the 22d of October, 1641, to take armes in maintenance of their religion, your majestie's rights, and the preservation of life, estate, and libertie, and immediately thereuppon tooke a solemn oath, and sent several declarations to the lords justices and councill to that effect; and humbly desired they might be heard in parliament, unto the determination whereof, they were ready to submit themselves and their demands: which declarations being received were slighted by the said

lords justices, who by the swaying part of the said councill, and by the advice of the said two impeached judges, glad of any occasion to put off the parliament, which by the former adjournment was to meete soone after, caused a proclamation to be published on the 23d of the said month of October 1641, therein accusing all the catholiques of Ireland of disloyaltie, and thereby declaring that the parliament was prorogued until the 26th of February following.

"9th. Within few dayes after the said 23d October, 1641, many lords and other persons of ranke and qualitie made their humble address to the said lords justices and councill, and made it evidently appeare to them that the said prorogation was against law, and humbly besought the parliament might sit according to the former adjournment which was then the only expedient to compose or remove the then growing discontents and troubles of the land, and the said lords justices and their partie of the councill then well knowing that the members of both houses throughout the kingdome (a few in and about Dublin only excepted,) would stay from the meeting of both houses by reason of the said prorogation did by proclamation two dayes before the time, give way the parliament might sitt, but so limitted, that no act of grace or any thing else for the people's quiet or satisfaction, might be propounded and passed. And thereuppon a few of the lords and commons appeared in the parliament house, who at the entrance of the castle bridge and gate, and within the yarde to the parliament house doore, and recess from thence, were environed with a greate number of armed men with their matches lighted, and muskets presented even at the breasts of the members of both houses, none being permitted to bring one servant to attend him or any weapon about him within the castle bridge; yet how then soever the houses were or how much overawed, they both did supplicate the lords justices and councill that they might continue for a tyme together, and expect the comeing of the rest of both houses, to the end that they might quiet the troubles in full parliament, and that some acts of securitie graunted by your majestie, and transmitted under the great seale of England, might pass to settle the minds of your majesties subjects; but to these requests, soe much conduceing to your majestie's service, and settlement of your people, a flatt denyall was given, and the said lords justices, and partie of the councill, by their working with their partie in both houses of parliament, being very thyn as aforesaid, propounded an order should be conceaved in parliament, that the said discontented gentlemen tooke armes in rebellious manner, which was resented much by the best affected of both houses; but being awed as aforesaid, and credibly informed if some particular persons amongst them stood in opposition thereunto, that the said musketteeres were directed to shoote them att their going out of the parliament house, through which terror, way was given to that order.

"10th. Notwithstanding all the before mentioned provocations, pressures and indignities, the farr greater and more considerable parte of the catholiques and all cittyes and corporations of Ireland, and whole provinces, stood quiet in their houses; whereupon the lords justices and their adherents, well knowing that many powerfull members of parliament in England stood in opposition to your majestie, made their application and addressed their dispatches, full fraught with calumnies and false suggestions against the catholiques of this kingdome; and propounded unto them, to send several great forces to conquer this kingdome; those of the malignant partie here were by them armed; the catholiques were not only denied armes, but were disarmed, even in the citty of Dublin; which, in all succession of ages past, continued as loyall to the crowne of England as any citty or place whatsoever. All other auncient and loyall cittys and corporate towns of the kingdome (by means whereof principally the kingdome, was preserved in former tymes) were denyed armes for their money, to defend themselves, and express order given by the said lords justices, to disarme all catholiques in some of the said cittyes and townes; others disfurnished, were inhibited to provide armes for their defence; and the said lords justices and councill, having received an order of both houses of parliament in England, to publish a proclamation of parliament of pardon unto all those who were then in rebellion (as they termed it) in this kingdome, if they did submit by a day limitted, the said Sir William Parsons, contrary to this order, soe wrought with his partie of the councill, that a proclamation was published of pardon only in two countyes and a very short day prefixed, and therein all freeholders were excepted, through which every man saw that the estates of the catholiques were first aymed att and their lives next. The said lords justices and their partie having advanced their designe thus far, and not finding the success answerable to their desires, com-

manded Sir Charles Coote, knight and baronet, deceased, to march to the county of Wicklow, where he burnt, killed, and destroyed all in his way, in a most cruel manner, man, woman and childe, persons that had not appearingly wills to do hurt, nor power to execute it. Soone after some foote companies did march in the night, by direction of the said lords justices, and their said partie, to the towne of Sauntry in Fingall, three miles off Dublin; a country that neither then, nor for the space of four or five hundred yeares before, did feele what troubles were or war meant; but it was too sweet and too near, and therefore fit to be forced to armes. In that towne innocent husbandmen, some of them being catholiques, and some protestants, taken for catholiques, were murdered in their inn, and their heads carryed tryumphant into Dublin. Next morning complaynt being made of this, no redress was obtayned therein; whereupon some gentlemen of qualitie and others, the inhabitants of the country, seeing what was then acted and what passed in the said last march towards the county of Wicklow, and justly fearing all to be murthered, forsook their houses, and were constrayned to stand together in their own defence, though ill provided with armes and ammunition. Hereupon a proclamation was agreed uppon at the board on the 13th of December 1641, and not published or printed till the 15th of December, by which the said gentlemen and George Kinge by name, were required to come in by or upon the 18th of the same month, and safetie was therein promised them. On the same day another proclamation was published, summoning the lords dwelling in the English pale near Dublin, to a grand councill on the 17th of the said month; but the lords justices and their partie of the councill, to take away all hopes of accommodation, gave direction to the said Sir Charles Coote, the said 15th day of the said month of December, to march to Clontarffe, being the howse and towne of the said George Kinge, and two miles from Dublin, to pillage, burne, kill, and destroy all that was there to be found; which direction was readily and particularly observed, (in a manifest breach of publick faith) by means whereof the meeting of the said grand councill was diverted; the lords not daring to come within the power of such notorious faith breakers; the consideration whereof, and of other the matters aforesaid, made the nobilitie and gentry of the English pale, and other parts of the province of Leinster, sensible of the present danger and put themselves in the best posture they could for their naturall defence, wherefore they employed Lieutenant Collonel Read to present their humble remonstrance to your sacred majestie, and to declare unto you the state of their affayres, and humbly to beseech relief and redress: the said lieutenant collonel, though your majestie's servant, and employed in public trust, (in which case the law of nations affords safety and protection) was without regard to either, not only stopped from proceeding in his employment, but also tortured on the rack at Dublin.

"11th. The lord president of Munster, by direction of the said lords justices, (that province being quiet,) with his accomplices, burnt, preyed, and put to death men, women and children, without making any difference of qualitie, condition, age, or sex in several parts of that province, the catholique nobles and gentlemen there were mistrusted and threatened, and others of inferior qualitie trusted and furnished with armes and ammunition. The province of Connaught was used in the like measure: whereupon most of the considerable catholiques in both the said provinces, were inforced (without armes and ammunition) to look after their safety, and to that end did stand on their defence, still expecting your majesties pleasure, and always ready to obey your commands. Now the plott of the said ministers of state and their adherents being even ripe, applications were incessantly by them made to the malignant partie in England, to deprive this people of all hopes of your majesties justice or mercie, and to plant a perpetual enmity between the English and Scottish nations, and your subjects of this kingdome.

"12th. That whereas this your majesties kingdome of Ireland in all succession of ages, since the raigne of King Henry the Second, sometime king of England and lord of Ireland, had parliaments of their owne, composed of lords and commons, in the same manner and forme, qualified with equal liberties, powers, privileges, and immunities with the parliament of England, and onely depend of the king and crowne of England and Ireland, and for all that time, no prevalent record or authentic precedent can be found, that any statute made in England could or did bind this kingdome before the same were here established by parliament: yet upon untrue suggestions and informations given of your subjects of Ireland, an act of parliament, entitled an act for the speedie and effectual reducing the rebels in his majesties kingdome of Ireland, to their due obedience to his majestie and the crowne of

of England; and another act entitled an acte for adding unto and explayning the said former act, was procured to be enacted in the said parliament of England, in the eighteenth yeare of your majesties reign, by which acts and other proclamations your majesty's subjects unsummoned, unheard, were declared rebells, and two millions and a half of acres of arable meadow, and profitable pasture, within this kingdom sold to undertakers for certaine summes of monie, and the edifices, loghs, woodes, and bogges, wastes and other appurtenances, were thereby mentioned to be granted and passed *gratis*, which acts the said catholiques doe conceave to have been forced uppon your majestie, and although void and unjust in themselves to all purposes, yet contain matters of evil consequences and extreme prejudice to your majesty, and totally destructive to this nation. The scope seeming to aime at rebells only, and at the disposition of a certaine quantitie of land, but in effect and substance, all the lands in the kingdome, by the words of the said acts, may be distributed, in whose possession soever they were, without respect to age, condition or qualitie, and all your majesties tenures, and the greatest part of your majesties standing revenue in this kingdome, taken away: and by the said acts, if they were of force, all power of pardoning and of granting those lands, is taken from your majesty. A president, that no age can instance the like. Against this act the catholiques do protest, as an act against the fundamental lawes of this kingdome, and as an act destructive to your majesties rights and prerogatives, by colour whereof, most of the forces sent hither to infest this kingdome by sea and land, disavowed any authoritie from your majestie, but to depend upon the parliament of England.

"13th. All strangers, and such as were not inhabitants of the citty of Dublin, being commanded by the said lords justices in and since the said month of November, 1641, to depart the said city, were no sooner departed, than they were, by the directions of the said lords justices, pillaged abroad, and their goods seized uppon and confiscated in Dublin, and they desireing to return under the protection and safetie of the state, before their appearance in action, were denied the same, and divers other persons of rank and qualitie, by the said lords justices employed in publique service, and others keeping close within their doores, without annoying any man, or siding them with any of the said catholiques in armes, and others in severall parts of the kingdome living under, and having the protection and safety of the state, were soon pillaged and their howses burnt; themselves, their tenants, and servants killed and destroyed, and that by the open direction of the said lords justices; and by the like direction, when any commander in chiefe of the army, promised or gave quarter or protection, the same was in all cases violated, and many persons of qualitie, who obtained the same, were ruined before others; others, that came into Dublin voluntarily, and that could not be justly suspected of any crime, if Irishmen or catholiques, by the like direction were pillaged in Dublin, robbed and pillaged abroad, and brought to their tryall for their lives. The citties of Dublin and Cork, and the ancient corporate townes of Drogheda, Yeoghal, and Kingsale, who voluntary received garrisons in your majestie's name, and the adjacent countryes, who relieved them, were worse used; and now live in worse condition, than the Israelites did in Egypt; so that it will be made appear, that more murders, breaches of publique faith and quarter, more destruction and desolation, more cruelty, not fit to be named, were committed in Ireland, by the direction and advice of the said lords justices and their partie of the said councill, in less than eighteene months, than can be paralleled to have been done by any Christian people.

"14th. The said lords justices and their adherents have against the fundamental lawes of the lande, procured the sitting of both houses of parliament for several sessions (nine parts of ten of the naturall and genuine members thereof being absent, it standing not with their safety to come under their power), and made up a considerable number in the house of commons of clerks, soldiers, serveing men, and others, not legally or not chosen at all or returned, and haveing no manner of estate in the kingdome, in which sitting sundry orders were conceived, and dismisses obtayned of persons before impeached of treason in full parliament, or which passed, or might have passed some acts against law, and to the prejudice of your majestie, and this whole nation. And during these troubles, terms were kept, and your majestie's court of cheefe place, and other courts sat at Dublin, to no other end or purpose, but by false and illegal judgments, outlawries, and other capital proceedings, to attaint many thousands of your majestie's most faithfull subjects of

this kingdome; they being never summoned nor haveing notice of those proceedings, and sheriffs made of obscure and meane persons, by the like practice appointed of purpose; and poor artificers, common soldiers, and menial servants, returned jurors, to pass upon the lives and estates of those, who came in upon protection and publique faith.

"Therefore the said catholiques, in the behalfe of themselves and of the whole kingdome of Ireland, doe protest and declare against the said proceedings, in the nature of parliaments, and in the other courts aforesaid, and every of them, as being heynous crimes against law, destructive to parliaments and your majestie's prerogative and authoritie, and the rights and just liberties of your most faithfull subjects.

"Forasmuch, dread sovereigne, as the speedy application of apt remedies unto these grievancies and heavie pressures, will tend to the settlement and improvement of your majestie's revenue, the prevention of further effusion of blood, the preservation of this kingdome, from desolation, and the content and satisfaction of your said subjects, who, in manifestation of their duty and zeal to your majesty's service, will be most willing and ready to employ ten thousand men under the conduct of well experienced commanders, in defence of your royal rights and prerogatives, they therefore most humbly beseech your majestie, that you will vouchsafe gracious answers to these their humble and just complaynts, and for the establishment of your people in a lasting peace and securitie, the said catholiques doe most humbly pray, that your majestie may be further gratiously pleased to call a free parliament in this kingdome in such convenient tyme, as your majestie in your high wisdome shall think fitt, and urgencie of the present affairs of the saide kingdome doth require, and that the said parliament be held in a different place, summoned bye and continued before some person or persons of honour and fortune, of approved faithe to your majestie, and acceptable to your people here; and to be tymely placed by your majestie in this government, which is most necessary for the advancement of your service and present condition of the kingdome, in which parliament the said catholiques doe humbly pray, these or other grievances may be redressed, and that in the said parliament a statute made in this kingdome in the tenth yeare of King Henry the Seventh, commonly called Poyning's, and all acts explayneing, or enlargeing the same, be by a particular act suspended during that parliament, as it hath been already done in the eleventh year of Queen Elizabeth, upon occasions of far less moment, than now doe offer themselves: and that your majestie, with the advice of the said parliament, will be pleased to take a course for the further repealing, or further continuance of the said statutes, as may best conduce to the advancement of your service here, and peace of this your realme, and that no matter whereof complaint is made in this remonstrance, may debar catholiques, or give interruption to their free votes, or sitting in the said parliament; and as in duty bound they will ever pray for your majestie's long and prosperous reigne over them.

"Wee the undernamed being thereunto authorized, doe present and signe this remonstrance in the behalfe of the catholiques of Ireland, dated this 17th day of March, 1642.

"Gormanston, Lucas Dillon,
Robert Talbott, John Walsh.

"According to your majestie's commission to us directed, we have received this remonstrance, subscribed by the Lord Viscount Gormanston, Sir Lucas Dillon, knight, Sir Robert Talbott, bart. and John Walsh, Esq. authorized by, and in the behalfe of the recusants of Ireland, to present the same unto us, to be transmitted to your sacred majesty, dated the 17th day of March, 1642.

"Clanrikard and St. Albans, Roscommon,
Moore, Mau. Eustace."

In pp. 374 and 380, are given the terms on which Limerick (which had been long besieged in vain) was surrendered to General Ginkle, the commander of King William's forces—and also the names of the independent and honourable members of the house of lords who protested against the piratical violation of those articles. As a proper sequence, I annex the strong plea offered by Sir Theobald Butler, before the house of commons, against the atrocious "act to prevent the further growth of popery," by which these articles were completely and perfidiously nullified.

Sir Theobald stated that, "'By the permission of that house, he was come thither in behalf of himself, and the rest of the Roman catholicks of Ireland comprised in the articles of Limerick and Galway, to offer some reasons, which he and the rest of the petitioners judged very material against passing the bill, intituled, an Act to prevent the further growth of popery; that by leave of the house, he had taken a copy of the said bill, (which he had there in his hand,) and with submission, looked upon it to tend to the destroying of the said articles, granted upon a most valuable consideration, of surrendering the said garrisons, at the time when they had the sword in their hands, and for any thing that then appeared to the contrary, might have been in a condition to hold out much longer, and when it was in their power to demand, and make for themselves such terms, as might be for their then and future liberty, safety and security: and that too, when the allowing such terms were highly advantageous to the government to which they submitted, as well for uniting the people that were then divided, quieting and settling the distractions and disorders of this then miserable kingdom, as for the other advantages the government would thereby reap in its own affairs, both at home and abroad; when its enemies were so powerful both by sea and land, as to give doubt or interruption to its peace and settlement.

"'That by such their power, those of Limerick did for themselves, and others therein comprized, obtain and make such articles, as by which, all the Irish inhabitants in the city and county of Limerick, and in the counties of Clare, Kerry, Cork, Sligo, and Mayo, had full and free pardon of and for all attainders, oulawries, treasons, misprision of treasons, felonies, trespasses, and other crimes whatever, which at any time from the beginning of King James the Second, to the 3d of October, 1691, had been acted, committed, or done by them, or any of them; and by which they and their heirs were to be forthwith put in possession of, and for ever possess, and enjoy all and every of their freeholds and inheritance; and all their rights, titles, and interests, privileges and immunities, which they and every of them held and enjoyed, and by the laws in force were intituled unto, in the reign of King Charles the Second, or at any time since, by the laws and statutes that were in force in that reign, &c. And therefore read so much of the second article of Limerick, as tended to that purpose.' "That in the reign of Charles the Second, the petitioners, and all that were intituled to the benefit of those articles, were in such full and free possession of their estates, and had the same power to sell, or otherwise to dispose, or convey them, or any thing they enjoyed; and were as rightfully intituled to all the privileges, immunities, and other advantages whatever, according to the laws then in force, as any other subjects whatsoever; and which, therefore, without the highest injustice, could not be taken from them, unless they had forfeited them themselves.

"'That if they had made any such forfeiture, it was either before or after the making the said articles: if before, they had a full and free pardon for that by the said articles, &c., and therefore are not accountable by any law now in force for the same, and for that reason not now to be charged with it; and since they cannot be charged with any general forfeiture of those articles since, they at that same time remained as absolutely intituled to all the privileges, advantages, and benefits of the laws both already made, and hereafter to be made, as any other of her majesty's subjects whatsoever.

"'That among all societies there were some ill people: that by the 10th article of Limerick, the whole community is not to be charged with, nor forfeited by the crimes of particular persons.

"'That there were already wholesome laws in force sufficient, and if not, such

as were wanting might be made, to punish every offender according to the nature of the crime: and in the name of God let the guilty suffer for their own faults; but the innocent ought not to suffer for the guilty, nor the whole for any particular. That surely they would not now (they had tamely got the sword out of their hands,) rob them of what was then in their power to have kept; for that would be unjust, and not according to that golden rule, to do as they would be done by, was the case reversed, and the contrary side their own.

"'That the said articles were first granted them by the general of the English army, upon the most important consideration of getting the city of Limerick into his hands, (when it was in a condition to have held out, till it might have been relieved by the succours then coming to it from France), and for preventing the further effusion of blood, and the other ill consequences which (by reason of the then divisions and disorders) the nation then laboured under, and for reducing those in arms against the English government, to its obedience.

"'That the said articles were signed and perfected by the said generals, and the then lords justices of this kingdom, and afterwards ratified by their late majesties, for themselves, their heirs and successors, and have been since confirmed by an act of parliament in this kingdom, viz. stat. 9. Guil. 3. ses. 4. chap. 27. (which he there produced and pleaded) and said could not be avoided without breaking the said articles, and the public faith thereby plighted to all those comprised under the said articles, in the most solemn and engaging manner, 'tis possible for any people to lay themselves under, and than which nothing could be more sacred and binding. That therefore to violate, or break those articles, would on the contrary be the greatest injustice possible for any one people of the whole world to inflict upon another, and which is contrary to both the laws of God and man.

"'That pursuant to these articles, all those Irish then in arms against the government, did submit thereunto, and surrendered the said city of Limerick, and all other garrisons then remaining in their possession, and did take such oaths of fidelity to the king and queen, &c. as by the said articles they were obliged to, and were put into possession of their estates, &c.

"'That such their submission was upon such terms as ought now, and at all times, to be made good to them; but that if the bill then before the house, intituled, an Act to prevent the further growth of popery, should pass into a law, (which said he, God forbid!) it would be not only a violation of those articles, but also a manifest breach of the public faith, of which the English had always been most tender in many instances, some of which he then quoted; and that, in particular, in the preamble of the act before-mentioned, made for confirmation of these articles, wherein there is a particular regard and respect had to the public faith.

"'That since the said articles were thus under the most solemn ties, and for such valuable considerations granted the petitioners, by nothing less than the general of the army, the lords justices of the kingdom, the king, queen, and parliament, the public faith of the nation was therein concerned, obliged, bound, and engaged, as fully and firmly, as was possible for one people to pledge faith to another; that therefore this parliament could not pass such a bill, as that intituled, an Act to prevent the further growth of popery, then before the house, into a law, without infringing those articles, and a manifest breach of the public faith; of which he hoped that house would be no less regardful and tender than their predecessors, who made the act for confirming those articles, had been.

"'That the case of the Gibeonites, 2 Sam. 21. 1. was a fearful example of breaking of public faith, which above 100 years after brought nothing less than a three year's famine upon the land; and stayed not till the lives of all Saul's family atoned for it.

"'That even among the heathens, and most barbarous of nations, all the world over, the public faith had always been held most sacred and binding, that surely it would find no less a regard in that august assembly.

"'That if he provod the passing that act, was such a manifest breach of those articles, and consequently of the public faith, he hoped that honourable house would be very tender how they passed the said bill before them into a law, to the apparent prejudice of the petitioners, and the hazard of bringing upon themselves and posterity, such evils, reproach and infamy, as the doing the like had brought upon other nations and people.

"'Now, that the passing such a bill as that then before the house, to prevent the

further growth of popery, will be a breach of those articles, and consequently of the public faith, I prove (said he) by the following argument.

"'The argument then is, (said he) whatever shall be enacted to the prejudice or destroying of any obligation, covenant or contract, in the most solemn manner, and for the most valuable consideration entered into, is a manifest violation and destruction of every such obligation, covenant and contract: but the passing that bill into a law, will evidently and absolutely destroy the articles of Limerick and Galway, to all intents and purposes; and therefore the passing that bill into a law, will be such a breach of those articles, and consequently of the public faith plighted for performing those articles, which remain to be proved.

"'The *major* is proved; (said he) for whatever destroys or violates any contract or obligation, upon the most valuable considerations, most solemnly made and entered into, destroys and violates the end of every such contract or obligation: but the end and design of those articles were, that all those therein comprised, and every of their heirs, should hold, possess, and enjoy all and every of their estates of freehold and inheritance, and all the rights, titles, and interest, privileges and immunities, which they and every of them held, enjoyed, or were rightfully intituled to, in the reign of King Charles the Second, or at any time since, by the laws and statutes that were in force in the said reign in this realm: but that the design of this bill was, to take away every such right, title, interest, &c. from every father being a papist, and to make the popish father, who, by the articles and laws aforesaid, had an undoubted right, either to sell, or otherwise at pleasure to dispose of his estate, at any time of his life, as he thought fit, only tenant for life, and consequently disabled from selling, or otherwise disposing thereof, after his son or other heir should become protestant, though otherwise never so disobedient, profligate, or extravagant: ergo, this act tends to the destroying the end for which those articles were made, and consequently the breaking of the public faith plighted for their performance.

"'The *minor* is proved by the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 15th, 16th, and 17th clauses of the said bill, all which (said he) I shall consider and speak to, in the order as they are placed in the bill.

"By the first of these clauses, (which is the third of the bill) I that am the popish father, without committing any crime against the state, or the laws of the land, (by which only I ought to be governed,) or any other fault; but merely for being of the religion of my fore-fathers, and that which, till of late years, was the ancient religion of these kingdoms, contrary to the express words of the second article of Limerick, and the public faith, plighted as aforesaid for their performance, am deprived of my inheritance, freehold, &c. and of all other advantages, which by those articles, and the laws of the land, I am intituled to enjoy, equally with every other of my fellow-subjects, whether protestant or popish. And though such my estate be even the purchase of my own hard labour and industry, yet I shall not (though my occasions be never so pressing,) have liberty (after my eldest son, or other heir, becomes a protestant,) to sell, mortgage, or otherwise dispose of, or charge it for payment of my debts; or have leave out of my own estate, to order portions for my other children; or leave a legacy, though never so small, to my poor father or mother, or other poor relations; but during my own life, my estate shall be given to my son, or other heir, being a protestant, though never so undutiful, profligate, extravagant, or otherwise undeserving; and I that am the purchasing father, shall become tenant for life only, to my own purchase, inheritance and free hold, which I purchased with my own money: and such my son, or other heir, by this act, shall be at liberty to sell, or otherwise at pleasure to dispose of my estate, the sweat of my brow, before my face; and I that am the purchaser, shall not have liberty to raise one farthing upon the estate of my own purchase, either to pay my debts, or portion my daughters, if any I have, or make provisions for my other male children, though never so deserving and dutiful: but my estate, and the issues and profits of it, shall, before my face, be at the disposal of another, who cannot possibly know how to distinguish between the dutiful and undutiful, deserving or undeserving. Is not this, gentlemen, (said he) a hard case? I beseech you, gentlemen, to consider, whether you would not think it so, if the scale was changed, and the case your own, as it is like to be ours, if this bill pass into a law.

"'It is natural for a father to love the child, but we all know (says he) that children are but too apt and subject, without any such liberty as this bill gives, to

slight and neglect their duty to their parents; and surely such an act as this, will not be an instrument of restraint, but rather encourage them more to it.

"'It is but too common with the son, who has a prospect of an estate, when once he arrives at the age of one-and-twenty, to think the old father too long in the way, between him and it, and how much more will he be subject to it, when by this act he shall have liberty before he comes to that age, to compel and force my estate from me, without asking my leave, or being liable to account with me for it, or out of his share thereof, to a moiety of the debts, portions, or other incumbrances, with which the estate might have been charged, before the passing this act.

"'Is not this against the laws of God and man? against the rules of reason and justice; by which all men ought to be governed? Is not this the only way in the world, to make children become undutiful? and to bring the gray head of the parent to the grave, with grief and tears.

"'It would be hard from any man; but from a son, a child, the fruit of my body, whom I have nurst in my bosom, and tendered more dearly than my own life, to become my plunderer, to rob me of my estate, to cut my throat, and to take away my bread, is much more grievous than from any other; and enough to make the most flinty of hearts to bleed, to think on't. And yet this will be the case, if this bill pass into a law; which I hope this honourable assembly will not think of, when they shall more seriously consider, and have weighed these matters.

"'For God's sake, gentlemen, will you consider whether this is according to the golden rule, to do as you would be done unto? And if not, surely you will not, nay you cannot, without being liable to be charged with the most manifest injustice imaginable, take from us our birth-rights, and invest them in others before our faces.

"'By the 4th clause, of the bill, the popish father is under the penalty of 500*l.* debarred from being guardian to, or having the tuition or custody of his own child or children; but if the child pretends to be a protestant, though never so young, or incapable of judging of the principles of any religion, it shall be taken from its own father, and put into the hands or care of a protestant relation, if any there be qualified as this act directs, for tuition, though never so great an enemy to the popish parent; and for want of relations so qualified, into the hands and tuition of such protestant stranger, as the court of chancery shall think fit to appoint, who perhaps may likewise be my enemy, and out of prejudice to me who am the popish father, shall infuse into my child, not only such principles of religion, as are wholly inconsistent with my liking, but also against the duty which by the laws both of God and nature is due from every child to its parents: and it shall not be in my power to remedy, or question him for it; and yet I shall be obliged to pay for such education, how pernicious soever. Nay, if a legacy or estate fall to any of my children, being minors, I that am the popish father shall not have the liberty to take care of it, but it shall be put into the hands of a stranger; and though I see it confounded before my face, it shall not be in my power to help it. Is not this a hard case, gentlemen? I am sure you cannot but allow it to be a very hard case.

"'The 5th clause provides, that no protestant or protestants, having any estate real or personal, within this kingdom, shall at any time after the 24th of March, 1703, intermarry with any papist, either in or out of this kingdom, under the penalties in an act made in the 9th of King William, intituled, an act to prevent protestants intermarrying with papists, which penalties, see in the 5th clause of the act itself.

"'Surely, gentlemen, this is such a law as was never heard of before, and against the law of right, and the law of nations; and therefore a law which is not in the power of mankind to make, without breaking through the laws which our wise ancestors prudently provided for the security of posterity, and which you cannot infringe, without hazarding the undermining the whole legislature, and encroaching upon the privileges of your neighbouring nations, which it is not reasonable to believe they will allow.

"'It has indeed been known, that there hath been laws made in England, that have been binding in Ireland: but sure it never was known that any law made in Ireland could affect England or any other country. But by this act, a person committing matrimony (an ordinance of the Almighty) in England, or any other part beyond the seas (where it is lawful both by the laws of God and man so to do,) if

ever they come to live in Ireland, and have an inheritance or title to any interest to the value of 500*l.* they shall be punished for a fact consonant to the laws of the land where it was committed. But, gentlemen, by your favour, this is what, with submission, is not in your power to do: for no law that either now is, or that hereafter shall be in force in this kingdom, shall be able to take cognizance of any fact committed in another nation: nor can any one nation make laws for any other nation, but what is subordinate to it, as Ireland is to England; but no other nation is subordinate to Ireland; and therefore any laws made in Ireland cannot punish me for any fact committed in any other nation, but more especially England, to whom Ireland is subordinate: and the reason is, every free nation, such as all our neighbouring nations are, by the great law of nature, and the universal privileges of all nations, have an undoubted right to make, and be ruled and governed by laws of their own making: for that to submit to any other, would be to give away their own birth-right, and native freedom; and become subordinate to their neighbours, as we of this kingdom, since the making of Poynings's act, have been, and are to England; a right which England would never so much as endure to hear of, much less to submit to.

"'We see how careful our forefathers have been to provide that no man should be punished in one county (even of the same nation) for crimes committed in another county; and surely it would be highly unreasonable, and contrary to the laws of all nations in the whole world, to punish me in this kingdom, for a fact committed in England, or any other nation, which was not against, but consistent with the laws of the nation, where it was committed. I am sure there is not any law in any other nation in the world that would do it.

"'The 6th clause of this bill is likewise a manifest breach of the second of Limerick articles, for by that article, all persons comprized under those articles, were to enjoy, and have the full benefit of all the rights, titles, privileges, and immunities whatsoever, which they enjoyed, or by the laws of the land then in force, were entitled to enjoy, in the reign of King Charles the Second. And by the laws then in force, all the papists of Ireland had the same liberty, that any of their fellow subjects had, to purchase any manors, lands, tenements, hereditaments, leases for lives or for years, rents, or any other thing of profit whatsoever: but by this clause of this bill, every papist or person professing the popish religion, after the 24th of March, 1703, is made incapable of purchasing any manors, lands, tenements, hereditaments, or any rents or profits out of the same, or holding any lease of lives, or any other lease whatsoever, for any term exceeding thirty-one years, wherein a rent, not less than two-thirds of the improved yearly value, shall be reserved, and made payable during the whole term; and therefore this clause of this bill, if made into a law, will be a manifest breach of those articles.

"'The 7th clause is yet of much more general consequence, and not only a like breach of those articles, but also manifest robbing of all the Roman catholicks of the kingdom of their birth-right: for by those articles, all those therein comprized were (said he) pardoned all misdemeanors whatsoever, of which they had in any manner of way been guilty, and restored to all the rights, liberties, privileges, and immunities whatever, which, by the laws of the land, and customs, constitutions, and native birth-right, they, any, and every of them, were, equally with every other of their fellow-subjects entitled unto. And by the laws of nature and nations (as well as by the laws of the land) every native of any country, has an undoubted right and just title to all the privileges and advantages, which such their native country affords: and surely no man but will allow, that by such a native right, every one born in any country, hath an undoubted right to the inheritance of his father, or any other to whom he or they may be heir at law: but if this bill pass into a law, every native of this kingdom, that is and shall remain a papist, is, *ipso facto*, during life, or his or their continuing a papist, deprived of such inheritance, devise, gift, remainder, or trust, of any lands, tenements, or hereditaments, of which any protestant now is, or hereafter shall be seized in fee-simple absolute, or fee-tail, which by the death of such protestant, or his wife, ought to descend immediately to his son or sons, or other issue in tail, being such papist, and eighteen years of age, or, if under that age, within six months after coming to that age, shall not conform to the church of Ireland, as by law established; and every such devise, gift, remainder, or trust, which, according to the laws of the land, and such native right, ought to descend to such papist, shall, during the life of such papist (unless he forsake his religion), descend to the nearest relation that is a pro-

testant, and his heirs, being and continuing protestants, as though the said popish heir and all other popish relations were dead, without being accountable for the same; which is nothing less than robbing such popish heir of such his birth-right; for no other reason but his being and continuing of that religion, which, by the first of Limerick articles, the Roman catholicks of this kingdom were to enjoy, as they did in the reign of King Charles the Second; and then there was no law in force, that deprived any Roman catholick of this kingdom of any such their native birth-right, or any other thing, which, by the laws of the land then in force, any other fellow-subjects were entitled unto.

"'The 8th clause of this bill is to erect in this kingdom a law of gavel-kind, a law in itself so monstrous and strange, that I dare say, this is the first time it was ever heard of in the world; a law so pernicious and destructive to the well-being of families and societies, that in an age or two, there will hardly be any remembrance of any of the ancient Roman catholick families known in this kingdom; a law, which, therefore, I may again venture to say, was never before known or heard of in the universe!

"'There is, indeed, in Kent, a custom, called the custom of gavel-kind; but I never heard of any law for it till now; and that custom is far different from what by this bill is intended to be made a law; for there, and by that custom, the father, or other person, dying possessed of any estate of his own acquisition, or not entailed (let him be of what persuasion he will), may by will bequeath it at pleasure: or if he dies without will, the estate shall not be divided, if their be any male heir to inherit it; but for want of male heir, then it shall descend in gavel-kind among the daughters, and not otherwise. But by this act, for want of a protestant heir, enrolled as such within three months after the death of such papist, to be divided, share and share alike, among all his sons; for want of sons among his daughters; for want of such, among the collateral kindred of his father; and in want of such, among those of his mother; and this is to take place of any grant, settlement, &c. other than sale for valuable consideration of money, really, *bona fide*, paid. And shall I not call this a strange law? Surely it is a strange law, which, contrary to the laws of all nations, thus confounds all settlements, how ancient soever, or otherwise warrantable by laws heretofore in force, in this or any other kingdom.

"'The 9th clause of this act is another manifest breach of the articles of Limerick, for by the 9th of those articles, no oath is to be administered to, nor imposed upon such Roman catholicks, as should submit to the government, but by oath of allegiance, appointed by an act of parliament made in England, in the first year of the reign of their late majesties King William and Queen Mary, (which is the same with the first of those appointed by the 10th clause of this act:) but by this clause none shall have the benefit of this act, that shall not conform to the church of Ireland, subscribe the declaration, and take and subscribe the oath of abjuration, appointed by the 9th clause of this act; and therefore this act is a manifest breach of those articles, &c. and a force upon all the Roman catholicks therein comprised, either to abjure their religion, or part with their birth-rights, which, by those articles, they were, and are, as fully and rightfully entitled unto as any other subjects whatever.

"'The 10th, 11th, 12th, 13th, and 14th clauses of this bill (said he) relate to offices and employments, which the papists of Ireland cannot hope for the enjoyment of, otherwise than by grace and favour extraordinary; and therefore do not so much affect them, as it does the protestant dissenters, who (if this bill pass into a law) are equally with the papists deprived of bearing any office, civil or military, under the government, to which by right of birth, and the laws of the land, they are as indisputably entitled, as any other protestant brethren; and if what the Irish did in the late disorders of this kingdom, made them rebels, (which the presence of a king, they had before been obliged to own, and swear obedience to, give them a reasonable colour of concluding it did not), yet surely the dissenters did not do any thing to make them so; or to deserve worse at the hands of the government, than other protestants; but on the contrary, it is more than probable, that if they, (I mean the dissenters) had not put a stop to the career of the Irish army at Enniskillen and Londonderry; the settlement of the government, both in England and Scotland, might not have proved so easy, as it thereby did, for if that army had got to Scotland, (as there was nothing at that time to have hindered them, but the bravery of those people, who were mostly dissenters, and chargeable with no other crimes since; unless their close adhering to, and early appearing for the then

government, and the many faithful services they did their country, were crimes, I say (said he) if they had got into Scotland, when they had boats, barks, and all things else ready for their transportation, and a great many friends there in arms waiting only their coming to join them, it is easy to think, what the consequence would have been to both these kingdoms; and these dissenters were then thought fit for command, both civil and military, and were no less instrumental in contributing to the reducing the kingdom, than any other protestants: and to pass a bill now, to deprive them of their birth-rights, (for those their good services) would surely be a most unkind return, and the worst reward ever granted to a people, so deserving. Whatever the papists may be supposed to have deserved, the dissenters certainly stand as clean in the face of the present government, as any other people whatsoever; and if this is all the return they are like to get, it will be but a slender encouragement, if ever occasion should require, for others to pursue their examples.

"'By the 15th, 16th, and 17th clauses, all papists, after the 24th of March, 1703, are prohibited from purchasing any houses or tenements, or coming to dwell in Limerick or Galway, or the suburbs of either, and even such as were under the articles, and by virtue thereof, have ever since lived there, from staying there; without giving such security as neither those articles, nor any law heretofore in force, do require, except seamen, fishermen, and day-labourers, who pay not above forty shillings a year rent, and from voting for the election of members of parliament, unless they take the oath of abjuration, which, to oblige them to, is contrary to the 9th of Limerick articles, which as aforesaid, says the oath of allegiance, and no other shall be imposed upon them, and, unless they abjure their religion takes away their advowsons and rights of presentation, contrary to the privilege of right, the laws of nations, and the great charter of Magna Charta; which provides, that no man shall be desseized of his birth-right, without committing some crime against the known laws of the land in which he is born, or inhabits. And if there was no law in force, in the reign of King Charles the Second, against these things (as there certainly was not), and if the Roman catholicks of this kingdom have not since forfeited their right to the laws that then were in force (as for certain they had not,) then with humble submission, all the aforesaid clauses and matters contained in this bill, intituled, an act to prevent the farther growth of popery, are directly against the plain words and true intent and meaning of the said articles, and a violation of the public faith, and the laws made for their performance; and what I therefore hope (said he) this honourable house will consider accordingly.'

"Counsellor Malone and Sir Stephen Rice, made discourses on the same side; the latter, not as a counsel, but as a petitioner, likely to be aggrieved by the passing of the said act: but in the course of the reply to the arguments of those gentlemen, it was objected, that they had not demonstrated how and when (since the making of the article of Limerick) the papists of Ireland had addressed the queen or government, when all other subjects were so doing, or had otherwise declared their fidelity and obedience to the queen.

"It was (among other things) observed, that by a proviso at the latter end of the second of those articles, none was to have or enjoy the benefit thereof, that should refuse to take the oath of allegiance.

"That any right which the papists pretended to be taken from them by the bill, was in their power to remedy, by conforming; as in prudence, they ought to do; and that they ought not to blame any but themselves.

"The next day the bill was ordered to be engrossed and sent to the lords.

"The petitioners having applied to the lords also, for leave to be heard by their counsel against the bill, the same was granted, and the same counsel, upon Monday, February 28th, appeared there, and offered such-like arguments as they had made use of in the other house: they told their lordships, it had been objected by the commons, that the passing that bill would not be a breach of the articles of Limerick, as had been suggested; because, the persons therein comprised were only to be put into the same state they were in the reign of Charles the Second, and because, that in that reign there was no law in force which hindered the passing any other law thought needful for the future safety of the government.

"That the commons had further sayed, that the passing this bill was needful at present, for the security of the kingdom, and that there was not any thing in the articles of Limerick that prohibited their so doing.

"It was admitted, on the part of the petitioners, that the legislative power cannot

be confined from altering and making such laws as shall be thought necessary, for securing the quiet and safety of the government; that in time of war or danger, or when there shall be just reason to suspect any ill designs to disturb the public peace, no articles or previous obligations, shall tie up the hands of the legislators from providing for its safety, or bind the government from disarming and securing any, who may be reasonably suspected of favouring or corresponding with its enemies, or to be otherwise guilty of ill practices; 'or indeed to enact any other law,' said Sir Stephen Rice, 'that may be absolutely needful for the safety and advantage of the public; such a law cannot be a breach either of these, or any other like articles. But then such laws, ought to be in general, and should not single out, or affect, any one particular part or party of the people, who gave no provocation to any such law, and whose conduct stood hitherto unimpeached, ever since the ratification of the aforesaid articles of Limerick. To make any law that shall single any particular part of the people out from the rest, and take from them what had been confirmed to, and intailed upon them, will be an apparent violation of the original institution of all right, and an ill precedent, to any that hereafter might dislike either the present or any other settlement, which should be in their power to alter; the consequence of which is hard to imagine.'

"The lord chancellor having summed up all that had been offered at the bar, the house proceeded thereupon; the bill was read through; and to the great mortification of that unhappy party, was passed, and upon the 4th of March obtained the royal assent."

Flagrant Forgery and Perjury, with a view to plunder the Irish Catholics.

"A letter dated Nov. 18, 1661, and pretended to be written by a priest named James Dermot, to another priest called James Phelan, was sent from Thomas Ashe and other justices of the county of Meath, by Stafford Lightborne, one of their number, in a letter of Dec. 7, to the lords justices. In this letter the writer is made to complain of the obstinacy of their enemies in not returning to the obedience of the holy see, and to tell his correspondent 'that they should soon have a full toleration, for the king knew them to be his best friends; that there were warrants to issue to seize upon all horses belonging to the Irish, and to search their houses for arms; that they ought to be careful to preserve both, for the time of doing good was near at hand, and to free themselves from slavery; that he should remember the gathering for the poor clergy newly come over; that their meetings were very great at Dublin; and that a great man sitting at the helm was their very good friend, and gave them intelligence of every thing.' This was the substance of the letter, a copy of which was produced and presented to the house of commons by Alexander Jephson of Trim, (one concerned not long after in the plot to surprize the castle of Dublin,) who pretended that he had found it while he was pursuing James Phelan; but he making his escape, a book fell from him in which the said letter was found. This afforded a handle to Lord Colonny to move likewise in the house of lords, for their concurrence with the commons in the above mentioned resolutions. A proclamation was published and executed with great rigour; all artificers and shopkeepers, who were left in their habitations by the usurpers at the time of the transportation, were now banished from Kilkenny, and other great towns; horses and arms being no where else to be found, were sought for in trunks and cabinets, and silver cups were defined to be chalices. The letter was transmitted into England, with a representation of the insolency of the papists, for whose suppression, in order to prevent the threatened danger, his majesty's directions were desired.

"It had been a common artifice [as already stated,] just after the king's restoration, to drop such letters in the streets and highways, in order to render the Irish odious. The Lord Primate Bramhall, vehemently suspected this to be a trick of the same nature; and being confirmed in that opinion by some discourse with Mr. Belling, advised him to take some course to have the two priests forthcoming. Mr. Belling prevailed with their superior to send for the two priests; and the Earl of Fingall waited upon the lords justices to desire a protection for them, with regard

to their function, but not to extend to the letter, or any other crime wherewith they might be charged. The lords justices seemed well pleased with the motion, but forbore to grant the protection desired; some of the council saying, 'that matters of this nature ought not to be minced; that such a protection was not fit to be granted; and that they were no friends to the king who made any objections or took measures to prove it a forged letter.' It was a matter of great consequence to the whole body of the Irish Roman Catholicks, all their fortunes depending on the pleasure of his majesty, who was likely to be estranged from them by unjust representations of their disposition and designs. Dermot came to Dublin on Dec. 20, and the next morning presented a petition to the council, complaining of the injury done him by the imposture of the forged letter, disavowing its being written by himself, or by any other by his directions or privity, and desiring leave, notwithstanding his function, to appear before them to justify his innocence; being ready to suffer any punishment, if he should be found criminal as to that letter, or of any thing that might tend to sedition, and the disturbance of his majesty's government in any of his dominions.' After a long examination, he was committed to the custody of an officer; and the next day Phelan appearing, Mr. Belling went with him to the council, who having examined him, committed him in like manner, upon his denying he had ever received any such letter."—Carte, II. 238–240.

Falsehood, hypocrisy, and perjury of Charles II., *when, to win the favour and support of the Scotch, he subscribed and swore to the solemn league and covenant, on the 16th of August*, 1650.

"His majesty having, upon a full persuasion of the justice, and equity of all the heads and articles thereof, now sworn and subscribed the national covenant of the kingdom of Scotland, and the solemn league and covenant of the three kingdoms of Scotland, England, and Ireland, doth declare that he hath not sworn and subscribed those covenants, and entered into the oath of God, with his people upon any sinister intention, and crooked design, &c., in order to which he doth profess and declare, that he will have no enemies, but the enemies of the covenant; and therefore he doth now detest and abhor all popery, superstition, and idolatry, together with prelacy, &c., and resolves not to tolerate, much less allow, of those in any part of his majesty's dominions, but to oppose himself thereto, and to endeavour the extirpation thereof to the utmost of his power. His majesty is convinced in conscience of the exceeding great sinfulness, and the unlawfulness of that treaty and peace (1648) made with the bloody Irish rebels, &c., and of allowing unto them the liberty of the popish religion; for which he doth desire in his heart to be deeply humbled before the Lord, &c., doth declare the same to be void; and that he should have sought unto so unlawful help for the restoring of him to his throne, and resolving for the time to come rather to suffer affliction than sin."—*Historical Memoirs of the Irish Rebellion*, 130, 131.

*Deplorable and disgraceful Intolerance.**

"The solemn league and covenant for reformation and defence of religion, and the honour and happiness of the king, and the peace and

* Among the deadly sins charged against the Roman Catholics, are their extreme intolerance and spirit of persecution. This document, except so far as capital punishments are concerned, equals the spirit of the Inquisition, and the annals of England from Henry VIII., down to the close of the reign of Charles II., are replete with capital punishments on account of supposed heresies. Arians, Baptists, and Roman Catholics, were immolated on the altar of persecution. That the number was not very considerable, does not affect the question. If it be lawful to put one man to death for heresy or schism, it is lawful to sacrifice ten thousand.

safety of the three kingdoms of England, Scotland, and Ireland. Feb. 9, 1643.

"We, noblemen, barons, knights, gentlemen, citizens, burgesses, ministers of the gospel, and commons of all sorts in the kingdoms of England, Scotland, and Ireland, by the providence of God, living under one king, and being of one reformed religion, having before our eyes the glory of God, and the advancement of the kingdom of our Lord and Saviour Jesus Christ, the honour and happiness of the king's majesty and his posterity, and the true publick liberty, safety and peace of the kingdoms, wherein every one's private condition is included. * * * * We have (now at last) after other means of supplication, remonstrance, protestations, and sufferings for the preservation of ourselves and our religion, from utter ruin and destruction, according to the commendable practice of these kingdoms in former times, and the example of God's people in other nations, after mature deliberation, resolved and determined to enter into a mutual and solemn league and covenant, wherein we all subscribe, and each one of us for himself, with our hands lifted up to the most high God, do swear,

"That we shall, without respect of persons, endeavour the extirpation of popery, prelacy, (that is, church-government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy) superstition, heresie, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine and the power of Godliness, lest we partake in other men's sins, and thereby be in danger to receive of their plagues; and that the Lord may be one, and his name one in the three kingdoms.

"We shall with the same sincerity, reality, and constancy, in our several vocations, endeavour with our estates and lives, mutually to preserve the rights and privileges of the parliaments, and the liberties of the kingdoms, and to preserve and defend the king's majesty's person and authority, in the preservation and defence of the true religion and liberties of the kingdoms, that the world may bear witness with our consciences of our loyalty, and that we have no thoughts or intentions to diminish his majesty's just power and greatness."—Rushworth, v. 478.

Gross and flagrant misrepresentation, and its triumphant refutation, by Dr. Warner.

"The lord lieutenant presented to the house a letter from the justices, of the 5th Nov. 1641, showing, that the rebels there do proceed in their rebellion, and have seized on the houses, estates, and persons of divers men and women of good quality, and have murdered many. That they are in several parts of Ireland gathered, to the number of 30,000, and threaten that they will not leave an English protestant there; and that they will not lay down their arms, until an act of parliament be passed for freedom of their religion."—Nalson, II. 624.

"The lord keeper hath said, 'that the rebels have already committed divers murders,' and the lord lieutenant, besides, affirming, 'that they had information of shedding much blood of the protestants there;' added moreover, 'that the design of the rebels was to kill the lords justices and all the king's privy council.' Whereas, neither in the letters, nor in the examinations, is there a single word of any murder being then committed; nor was there the least thought among the conspirators, for any thing that appears, of killing particularly the lords justices and all the king's privy council: and the council in their letter, after giving an account of several robberies, burning houses and villages, and seizing some forts and castles, expressly say, 'and this though too much, is all that we yet have heard is done by them.'"—Warner, 90.

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